

**Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of)	
)	
VIASAT CARRIER SERVICES, INC.)	Docket No. P-2018-3004983
)	
)	
Petition for Limited Designation as an)	
Eligible Telecommunications Carrier)	
to Receive Connect America)	
Fund Phase II Auction (Auction 903))	
Support for Voice and Broadband Services)	
and Request for Expedited Consideration)	

VIASAT CARRIER SERVICES, INC.
SUPPLEMENT

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VIASAT CARRIER SERVICES, INC.
SUPPLEMENT

Viasat Carrier Services, Inc. ("Viasat"), by its counsel, hereby respectfully submits this update to its Further Supplemental Responses, which were submitted to the Pennsylvania Public Utility Commission ("Commission") on September 17, 2019.

As of the date Viasat submitted its Further Supplemental Responses, thirteen states had granted Viasat's requests for Eligible Telecommunications Carrier ("ETC") designation: Arizona, Colorado, Georgia, Idaho, Kentucky, Louisiana, Maine, Montana, New Mexico, Utah, Washington, Wisconsin, and Wyoming.

Four states did not review the petitions/applications and issued affirmative statements allowing Viasat instead to apply directly to the Federal Communications Commission ("FCC") for ETC designation in those states. On September 18, 2019, in WC Docket No. 09-197 and 10-90, the FCC approved designation of Viasat as an ETC in its CAF II-awarded areas in those states: Alabama, California, Florida and West Virginia. The FCC's Order is attached as **Attachment A** ("FCC ETC Designation Order").

On September 30, the FCC announced that it is ready to authorize Connect America Fund Phase II Auction (Auction 903) support for the thirteen states that have designated Viasat as an ETC and the four FCC-designated states: Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho,

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Dated: October 1, 2019

Attachment A

FCC ETC Designation Order

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

In the Matter of)	
)	
Telecommunications Carriers Eligible for)	WC Docket No. 09-197
Universal Service Support)	
)	
Connect America Fund)	WC Docket No. 10-90
)	

ORDER

Adopted: September 18, 2019

Released: September 18, 2019

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this Order, the Wireline Competition Bureau (Bureau) designates Viasat Carrier Services, Inc. (Viasat) as an eligible telecommunications carrier (ETC) in eligible high-cost areas within Alabama, California, Florida, and West Virginia.¹ Designation is conditioned upon and limited to Viasat’s authorization to receive Connect America support awarded through the Connect America Fund Phase II auction (Auction 903) and effective only upon such authorization.² In making this designation, the Bureau finds that Viasat meets the eligibility requirements to receive universal service support, as set forth in section 214(e)(6) of the Communications Act of 1934, as amended (Act), and related Commission rules.³ The Bureau also waives, on its own motion, the requirement that Viasat submit proof of its ETC designation on or before February 25, 2019. The Bureau will release separate public notices regarding Auction 903 funding authorizations.

II. BACKGROUND

A. Connect America Fund Phase II Auction 903 Support

2. Auction 903 is one part of a multi-step process to comprehensively reform and modernize the high-cost component of the Universal Service Fund (USF).⁴ At the conclusion of this auction, 103 bidders won \$1.49 billion in support over 10 years to provide fixed broadband and voice services to over

¹ See Attachment; see also Petition for Eligible Telecommunications Designation, WC Docket No. 09-197 (filed Feb. 19, 2019) (Viasat Petition).

² See *Connect America Fund Phase II Auction (Auction 903) Closes; Winning Bidders Announced; FCC Form 683 Due October 15, 2018*, AU Docket No. 17-182, WC Docket No. 10-90, Public Notice, 33 FCC Rcd 8257 (2018) (*Auction 903 Closing Public Notice*); see also *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949 (2016) (*Phase II Auction Order*).

³ 47 U.S.C. § 214(e)(6); 47 CFR § 54.202.

⁴ *Connect America Fund et al.*, WC Docket Nos. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17725, para. 156 (2011), *aff’d sub nom.*, *In re: FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014).

700,000 locations in high-cost areas in 45 states.⁵ In order to become authorized to receive support, winning bidders must complete a post-auction application (long-form application) designed to ensure that winning bidders are technically and financially qualified to offer supported services and have met all regulatory prerequisites and conditions for receiving USF support.⁶ As part of this application, Auction 903 winning bidders must certify that their ETC designation covers all relevant census blocks and submit supporting documentation, including an ETC designation order.⁷

B. Requirements for FCC ETC Designation

3. Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.”⁸ Congress gives primary authority for ETC designations to state commissions.⁹ The FCC has authority only when “a common carrier [is] providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State commission.”¹⁰ The petitioning carrier must demonstrate that the FCC has jurisdiction and may do so by submitting an “affirmative statement from the state commission or a court of competent jurisdiction that the carrier is not subject to the state commission’s jurisdiction.”¹¹ The Commission has delegated authority to the Bureau to consider appropriate ETC designation requests.¹²

4. A petition for ETC designation by the FCC must include: (1) a certification that the petitioner offers or intends to offer all services designated for support by the Commission pursuant to section 254(c) of the Act; (2) a certification that the petitioner offers or intends to offer the supported services either using its own facilities or a combination of its own facilities and resale of another carrier’s services;¹³ (3) a description of how the petitioner advertises the availability of the supported services and the charges therefor using media of general distribution;¹⁴ (4) a detailed description of the geographic service area for which the petitioner requests to be designated as an ETC;¹⁵ and (5) a certification that

⁵ See *Auction 903 Closing Public Notice*, 33 FCC Rcd at 8257.

⁶ 47 CFR § 1.21004; *Phase II Auction Order*, 31 FCC Rcd at 6000, para. 144.

⁷ 47 CFR § 54.315(b)(5) (requiring winning bidders to submit within 180 days of the announcement of winning bids, a certification of ETC designation in all relevant areas and supporting documentation for that certification); *Connect America Fund Phase II Auction Scheduled for July 24, 2018; Notice and Filing Requirements and Other Procedures for Auction 903*, AU Docket No. 17-182, WC Docket No. 10-90, Public Notice, 33 FCC Rcd 1428, 1519, para. 310 (2018) (*Auction 903 Procedures Public Notice*); see also *Phase II Auction Order*, 31 FCC Rcd at 5999, 6002-05, paras. 141, 149-56.

⁸ 47 U.S.C. § 254(e).

⁹ *Id.* § 214(e)(2).

¹⁰ *Id.* § 214(e)(6).

¹¹ See *Federal-State Joint Board on Universal Service et al.*, CC Docket No. 96-45, Twelfth Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking, 15 FCC Rcd 12208, 12267, para. 120 (2000) (*2000 Tribal Order*); 47 U.S.C. § 214(e)(6).

¹² See *Procedures for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act*, CC Docket No. 96-45, Public Notice, 12 FCC Rcd 22947, 22948 (1997).

¹³ 47 U.S.C. § 214(e)(1); 47 CFR § 54.201(d)(1).

¹⁴ 47 U.S.C. § 214(e)(1); 47 CFR § 54.201(d)(2).

¹⁵ An ETC’s “service area” is set by the designating authority and is the geographic area within which an ETC has universal service obligations and may receive universal service support. 47 U.S.C. § 214(e)(5); 47 CFR § 54.207(a). Although section 214(e)(5) of the Act, 47 U.S.C. § 214(e)(5), requires conformance of a competitive ETC’s service area and an incumbent rural telephone company’s service area, the Commission has separately forbore from

(continued....)

neither the petitioner, nor any party to the application, is subject to a denial of federal benefits pursuant to the Anti-Drug Abuse Act of 1988.¹⁶

5. In addition, petitioners must demonstrate their ability to meet certain service standards. A petitioner seeking an ETC designation for purposes of becoming eligible to receive high-cost support must: (1) certify that it will comply with the service requirements applicable to the support that it receives; (2) submit a five-year service plan (applicable only to high-cost areas); (3) demonstrate its ability to remain functional in emergency situations; and (4) demonstrate its ability to satisfy applicable consumer protection and service quality standards.¹⁷

6. For petitioners seeking ETC designation for the purpose of becoming authorized to receive Auction 903 support, the Bureau waived the requirements that the petitioners submit a five-year service plan and proof of compliance with consumer protection and service quality standards, finding that the need for such requirements is obviated by specific service quality standards applicable to Auction 903 support recipients and specific reporting obligations relating to such standards.¹⁸

7. In addition, prior to designating a carrier as an ETC pursuant to section 214(e)(6) of the Act, the Commission must determine whether such designation is in the public interest.¹⁹ When making a public interest determination, the Commission historically has considered the benefits of increased consumer choice and the unique advantages and disadvantages of the applicant's service offering.²⁰ In the *Auction 903 ETC Public Notice*, the Bureau found that recipients of Phase II Auction support demonstrated their ability to offer service efficiently through the competitive bidding process and their ability to meet public interest obligations through their short- and long-form applications and thus, need not submit additional support in their petitions.²¹

C. Petition for ETC Designation and Related Filings

8. Viasat seeks an ETC designation to become eligible to receive Auction 903 support in all CAF-eligible census blocks covered by its awards.²² The Bureau released a public notice soliciting comments on Viasat's petition.²³

(Continued from previous page) _____
imposing such requirements on Auction 903 support recipients. *See Phase II Auction Order*, 31 FCC Rcd at 6006-6009, paras. 159-168.

¹⁶ 21 U.S.C. § 862; 47 CFR § 1.2002(a)–(b).

¹⁷ *See* 47 CFR § 54.202(a).

¹⁸ *WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197 and 10-90, Public Notice, 33 FCC Rcd 6696, 6699-6700 (WCB 2019).

¹⁹ 47 U.S.C. § 214(e)(6); 47 CFR § 54.202(b).

²⁰ *See, e.g., Virgin Mobile ETC Designation Order in the States of Alabama, Connecticut, Delaware, New Hampshire and the District of Columbia*, WC Docket 09-197, Order, 25 FCC Rcd 17797, 17799, para. 6 (WCB 2010).

²¹ *Auction 903 ETC Public Notice*, 33 FCC Rcd at 6700-6701.

²² Viasat petition at Ex. A-D; *see also* Connect America Fund Phase II: Assignments - Assigned Census Blocks, https://auctiondata.fcc.gov/public/projects/auction903/reports/all_assigned_census_blocks. In the Attachment to this Order, the Bureau has summarized these awards, including the specific deployment obligations over the support term and the number of CAF-eligible census blocks included in the award.

²³ *Wireline Competition Bureau Seeks Comment on Petitions for Designation as an Eligible Telecommunications Carrier for the Purpose of Becoming Eligible to Receive Connect America Fund Phase II Auction Support*, Docket No. 09-197, Public Notice, 34 FCC Rcd 7 (WCB 2019).

9. In response, Hughes Network Systems, Inc. (Hughes) filed comments asserting that the Commission should treat Viasat's service certification "with skepticism," because, based on the ITU-T computational model for predicting network performance, voice services of geostationary satellite systems, like those offered by Viasat, can only reach a mean opinion score (MOS) of 3.72, and thus fall short of the Commission's latency requirements for high-latency bids, i.e., a MOS of 4 or higher (using the ITU P.800 standard).²⁴ Hughes also asserts that Viasat's petition is procedurally defective because the only information that Viasat provides in support of its service certification is an incorporation by reference of the technical information in its non-public CAF II long-form application.²⁵ Therefore, Hughes asserts Viasat's service certification cannot be meaningfully challenged by other parties.²⁶

10. Viasat responds by asserting that geostationary satellite service is comparable to terrestrial voice service.²⁷ Viasat also states that the ITU-T computation upon which Hughes relies only predicts network performance and estimates MOS based on variable inputs, including non-latency related inputs that Hughes does not demonstrate "reflect actual conditions on Viasat's network—much less the conditions on the network Viasat will deploy in the future using CAF II support."²⁸ Accordingly, Viasat asserts, the computation cannot substitute for actual testing (which Viasat must perform in the future).²⁹

11. Viasat also emphasizes that Commission rules do not require a petitioner to prove that its current network is capable of meeting service requirements and that under Commission precedent, an ETC designation cannot be conditioned on service to eligible areas in advance of designation.³⁰ Viasat further emphasizes that the Commission has already reviewed and accepted its short-form CAF Phase II application in which it was required to address the technical capabilities of the service and its network to meet high latency standards (among other performance requirements).³¹

²⁴ Opposition of Hughes Network Systems, LLC, WC Docket 09-197 at 1-2 (filed Mar. 6, 2019) (Hughes Opposition); *see also Connect America Fund*, WC Docket No. 10-90, Order, 33 FCC Rcd 6509, 6525-26, paras. 44-46 (WCB/WTB/OET 2018); *CAF Phase II Auction Order*, 31 FCC Rcd at 5960-61, para. 30. Hughes reiterates this assertion in its response to Viasat's reply. Letter from Jennifer Manner, Hughes Network Systems, LLC, to Marlene H. Dortch, FCC, WC Docket No. 09-197 at 1-2 (filed Mar. 21, 2019) (Hughes Response).

²⁵ Hughes Opposition at 2-3; *see also* Viasat Petition at 5-6.

²⁶ Hughes Opposition at 2-3. Hughes also raises, and then challenges the adequacy of, Viasat's statements supporting its service certification in ETC designation proceedings before state commissions. *Id.* at 3. Because, however, such information was not included in Viasat's ETC petition before the Commission, the Bureau declines to address such arguments.

²⁷ *See* Viasat Reply to Opposition, WC Docket 09-197, at 3 (filed Mar. 13, 2019) (Viasat Reply).

²⁸ Letter from John P. Janka and Matthew T. Murchison, Hughes Network Systems, LLC, to Marlene H. Dortch, FCC, WC Docket No. 09-197 at 3-4 (filed April 3, 2019) (Viasat Response). Viasat further states that the computation is not intended to measure "actual service quality," and that the computation "gives significant weight to low latency in a manner that makes it unsuited to evaluating satellite VoIP." *Id.* at 3.

²⁹ Viasat Response at 3. To underscore this point, Viasat notes that the ITU has "has repeatedly emphasized that actual conversational-opinion testing may result in a different MOS rating based on a variety of factors." *Id.* at 3.

³⁰ Viasat Reply at 4 (citing *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of The South Dakota Public Utilities Commission*, Declaratory Ruling, 15 FCC Rcd 15168, 15169, 16173-74, paras. 2, 14 (2000)); Viasat Response at 4.

³¹ Viasat Reply at 5. In its reply, Viasat also urges the Commission to "couple its rejection of Hughes's proposed testing requirements with a reaffirmation that state commissions cannot impose such requirements either, as doing so would exceed the authority of state commissions to designate ETCs under Section 214(e) of the Act and would be subject to the Commission's preemption authority." *Id.* at 5-6. Because this argument is unrelated to Viasat's federal ETC petition, we decline to address this request at this time.

III. DISCUSSION

12. We find that Viasat satisfies the Commission's requirements for ETC designation and therefore designate Viasat as an ETC in the specified states, conditioned upon and limited to the high-cost areas where it is authorized to receive Auction 903 support and effective only upon such authorization. In these areas, Viasat must meet Connect America Phase II requirements, Lifeline requirements, and other service obligations attendant to its high-cost designation, as specified in the Act and the Commission's rules.³²

A. Commission Authority

13. Viasat demonstrates that the Commission has the requisite authority to designate it as an ETC pursuant to section 214(e)(6) of the Act. Viasat submits letters from each of the relevant state commissions declining jurisdiction over Viasat's ETC designation and directing Viasat to seek authorization from the FCC.³³ On this basis, we find that Viasat has demonstrated FCC authority to decide its petition.³⁴

B. Eligibility Requirements

14. *Offering the Services Supported by the Universal Service Support Mechanisms.* We find that Viasat establishes through the required certifications and related filings that it will offer the services supported by the federal universal service support mechanisms.³⁵

15. *Compliance with the Service Requirements Applicable to Auction 903 Support.* We find that Viasat has met its requirement to certify that it will comply with service requirements applicable to the support that it receives.³⁶ This determination takes into account that, prior to being authorized to receive Auction 903 support, Viasat must certify and demonstrate, as part of its short- and long-form applications, the technical and financial ability to provide voice and broadband services meeting or exceeding CAF Phase II standards,³⁷ certify its commitment to meeting relevant public interest obligations,³⁸ and certify its compliance with all statutory and regulatory requirements for receiving the universal service support.³⁹ Moreover, once authorized, Viasat must satisfy certain reporting obligations to ensure that the support received is being used efficiently and appropriately and that service requirements are being met.⁴⁰

16. In its opposition (and associated filings), Hughes challenges Viasat's service certification, asserting that no geostationary satellite system can meet the MOS 4 standard that the Commission has

³² 47 CFR § 54.202(a)(1)(i); *id.* § 54.101(d); *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 3974, 4074-75, paras. 35, 311-12 (2016) (requiring all high-cost recipients to meet Lifeline obligations in all areas where they deploy a network pursuant to a broadband service obligation and are commercially offering qualifying service).

³³ Viasat Petition at 3; *id.* at Ex. E-H.

³⁴ *See 2000 Tribal Order*, 15 FCC Rcd at 12267, para. 120 (2000); 47 U.S.C. § 214(e)(6).

³⁵ Viasat Petition at 4-5; 47 U.S.C. § 214(e)(1)(A); 47 CFR § 54.201(d)(1).

³⁶ Viasat Petition at 4-7; 47 CFR §§ 54.101(d), 54.202(a)(1)(i).

³⁷ 47 CFR §§ 54.310(e)(1); 54.315(b)(2)(ii), (b)(2)(iv).

³⁸ *Id.* § 54.315(b)(2)(iii).

³⁹ *Id.* § 54.315(b)(2)(v).

⁴⁰ *Id.* § 54.313 (requiring annual report); *id.* § 54.310(c) (requiring build-out milestone reporting); *Phase II Auction Order*, 31 FCC Rcd at 5964, para. 40 (describing reporting obligations of Auction 903 support recipients).

adopted for high-latency bids.⁴¹ We reject Hughes's argument, which is premised on numerous assumptions and speculation that are not directly applicable to Viasat's certification. We note that WCB, WTB, and OET recently rejected this same contention, also raised by Hughes, when considering challenges to the *Performance Measures Order*, explaining that the computational model relied upon by Hughes to make its categorical statements about the latency capabilities of satellite systems is no substitute for actual network testing.⁴² Such a finding is consistent with Viasat's response to Hughes's categorical contention in this proceeding concerning the service Viasat intends to provide.⁴³ For these reasons, we decline to reconsider this contention here.

17. We also reject Hughes's contention that this petition should be dismissed because Hughes cannot independently scrutinize the technical information contained in Viasat's long-form application.⁴⁴ We emphasize that Viasat's interrelated obligations under section 54.201(d)(1), to offer the services supported by universal service, and under 54.202(a)(1), to certify at the time of its application that it will comply with the service requirements applicable to the support that it receives, in this context, are commitments to a future action on a future network. We expect the petitioner to review and assess its technical and financial capabilities to provide such certification, but we have not required ETC petitioners to submit documentation or proof of such review and assessment as a condition of granting federal high-cost ETC designations. As Viasat is required to provide only a certification as part of its ETC petition, and not to demonstrate its capability to provide service as certified, we do not believe it is necessary to provide the public (or Hughes specifically) the opportunity to review the non-public technical information in Viasat's long-form application in order to act on Viasat's ETC petition.⁴⁵ In this regard, we note that the ETC designation process is separate from and serves a different purpose than the authorization process and post-authorization accountability measures, including performance testing; the ETC process establishes a petitioner's general eligibility for receiving USF support and imposes certain statutory and regulatory obligations but does not duplicate the Bureau's multifaceted, objective, and consistent process for evaluating Auction 903 long-form applications or future performance.⁴⁶

18. *Compliance with Service Requirements Applicable to Lifeline Services.* Viasat commits to offering Lifeline discounts to qualifying low-income consumers, consistent with the Commission's rules, in all high-cost areas where it is authorized to receive support.⁴⁷

19. *Offering the Supported Services Using a Carrier's Own Facilities.* Viasat certifies that it is a facilities-based provider of broadband and voice services.⁴⁸

20. *Advertising Supported Services.* Viasat commits to advertising the availability of the supported services and related charges using media of general distribution.⁴⁹ We emphasize that, as part

⁴¹ Hughes Opposition at 1-2.

⁴² See *Connect America Fund*, WC Docket No. 10-90, Order on Reconsideration, DA 19-911, at para. 15 (WCB/WTB/OET Sept. 12, 2019).

⁴³ Viasat Reply at 3-4.

⁴⁴ Hughes Opposition at 2-3.

⁴⁵ *Id.* at 3.

⁴⁶ *WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier*, WC Docket Nos. 09-197, 10-90, Public Notice, 33 FCC Rcd 6696 (WCB July 10, 2018).

⁴⁷ Viasat Petition at 5.

⁴⁸ *Id.* at 5; 47 U.S.C. § 214(e)(1)(A); 47 CFR § 54.201(d)(1).

⁴⁹ *Id.* at 6; 47 U.S.C. § 214(e)(1)(B); 47 CFR § 54.201(d)(2).

of this commitment, Viasat must advertise the availability of its services and charges in a manner reasonably designed to reach Lifeline-eligible consumers.⁵⁰

21. *Ability to Remain Functional in Emergency Situations.* Viasat states that it can remain functional in emergency situations. Viasat states that it has sufficient back-up power to ensure functionality in the designated service area without an external power source, can re-route traffic around damaged facilities, and can manage traffic spikes resulting from emergency situations.⁵¹

22. *Anti-Drug Abuse Act Certification.* Viasat submits a certification that satisfies the requirements of the Anti-Drug Abuse Act of 1988, as codified in sections 1.2001-1.2003 of the Commission's rules.⁵²

C. Public Interest Analysis

23. We conclude that Viasat participation in universal service programs would be in the public interest and would provide numerous benefits to consumers. As noted above, ETC designations in areas where a petitioner is authorized to receive CAF Phase II Auction support serve the public interest. Through participation in the auction bidding and application processes, Viasat demonstrates that it can offer voice and broadband services in high-cost areas efficiently and at a price and quality comparable to the service offerings in more competitive areas. Moreover, granting Viasat's petition will serve the interests of low-income consumers by ensuring the availability of new, facilities-based Lifeline services at competitive prices in areas eligible for Auction 903 support.

24. Accordingly, based on the information, representations, and certifications in its petition, we find that Viasat has met all applicable conditions and prerequisites for ETC designation and conditionally grant its petition.

D. Regulatory Oversight

25. Under section 254(e) of the Act, Viasat must use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended."⁵³ Under section 214(e) of the Act, Viasat must provide supported services throughout its service area.⁵⁴ When authorized to receive high-cost support, Viasat must file an annual certification that all federal high-cost support received was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.⁵⁵ The Commission conditions future support awarded through the high-cost program on the filing of such certification.⁵⁶

26. An ETC receiving Lifeline support uses that support as intended when it reduces the price of its telecommunications services by the amount of the support for the eligible consumer.⁵⁷ In addition,

⁵⁰ 47 CFR § 54.405.

⁵¹ Viasat Petition at 7; 47 CFR § 54.202(a)(2).

⁵² Viasat Petition at 8; 47 CFR § 1.2002.

⁵³ 47 U.S.C. § 254(e).

⁵⁴ *Id.* § 214(e).

⁵⁵ 47 CFR § 54.314(b).

⁵⁶ *Id.*

⁵⁷ See *Federal-State Joint Board on Universal Service; Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i)*, CC Docket No. 96-45, Order, 20 FCC Rcd 15095, 15105-06, para. 26 (2005).

the ETC must file annual reports that include, among other things, a certification of compliance with applicable minimum service standards, service quality standards, and consumer protection rules.⁵⁸

27. We find that reliance on Viasat's commitments to meet these and other regulatory requirements, as well as representations and commitments made in its petition, is reasonable and consistent with the public interest and the Act. We conclude that fulfillment of these additional reporting requirements will further the Commission's goal of ensuring that Viasat satisfies its obligation under section 214(e) of the Act to provide supported services throughout its respective designated service areas.

28. The Commission may initiate an inquiry on its own motion to examine any ETC's records and documentation to ensure that the universal service support the ETC receives is being used "only for the provision, maintenance, and upgrading of facilities and services" in the areas in which it is designated as an ETC.⁵⁹ Viasat must provide such records and documentation to the Commission and USAC upon request.⁶⁰ If Viasat fails to fulfill the requirements of the Act, the Commission's rules, and the terms of this Order after it begins receiving universal service support, the Commission has authority to revoke Viasat's ETC designation.⁶¹ The Commission also may assess forfeitures for violations of Commission rules and orders.⁶²

E. Waiver of Deadline for Submitting Proof of ETC Designation

29. Auction 903 winning bidders were required to certify that they are ETCs in all bid areas and to submit appropriate documentation supporting such certification on or before February 25, 2019 (Auction 903 ETC deadline).⁶³ The Bureau finds, on its own motion, good cause to waive this deadline for Viasat in these four states.⁶⁴ The Commission has found that waiver of this deadline is appropriate when an ETC designation proceeding is not yet complete by the deadline despite the good faith efforts of the long-form applicant.⁶⁵ The Commission has explained that it would presume such good faith efforts when the petitioner submitted its petition to the relevant authority within 30 days of the release of the

⁵⁸ 47 CFR § 54.422(b)(3); *see also id.* §§ 54.416, 54.422 (requiring an officer of the company to certify that the ETC has policies and procedures in place to ensure that its Lifeline subscribers are eligible to receive Lifeline services and that it will comply with all federal Lifeline certification procedures).

⁵⁹ 47 U.S.C. §§ 220, 403.

⁶⁰ 47 CFR § 54.417.

⁶¹ *Id.* § 54.320(c); *Federal-State Joint Board on Universal Service; Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168, 15174, para. 15 (2000).

⁶² *See* 47 U.S.C. § 503(b).

⁶³ 47 CFR § 54.315(b)(5) (requiring winning bidders to submit within 180 days of the announcement of winning bids, a certification of ETC designation in all relevant areas and supporting documentation for that certification); *Auction 903 Procedures Public Notice*, 33 FCC Rcd at 1519, para. 310; *see also Phase II Auction Order*, 31 FCC Rcd at 5999, 6002-05, paras. 141, 149-56.

⁶⁴ The Commission has delegated to the Bureau the authority to grant waivers of the filing deadline. *See Phase II Auction Order*, 31 FCC Rcd at 603, n.315; *see also* 47 C.F.R. §§ 0.91(p) (functions of the Wireline Competition Bureau), 0.291 (delegation of authority to the Wireline Competition Bureau).

⁶⁵ *See Auction 903 Closing Public Notice*, 33 FCC Rcd at 8268, para. 35 (citing *Phase II Auction Order*, 31 FCC Rcd at 6002-03, paras. 152-53). The Commission may waive its policies or rules upon a showing of good cause and may take into account, on an individual basis, considerations of hardship, equity, or more effective implementation of overall policy. *See WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *see also Ne. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Waiver of the Commission's policies or rules is appropriate only if both: (i) special circumstances warrant a deviation from the general rule; and (ii) such deviation will serve the public

(continued....)

Auction 903 Closing Public Notice.⁶⁶ Viasat filed its petitions with the relevant local authorities within this 30-day time frame, thus demonstrating due diligence in meeting its filing deadline.

IV. ORDERING CLAUSES

30. Accordingly, IT IS ORDERED, pursuant to the authority contained in section 214(e)(6) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(6), and the authority delegated in sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91, 0.291, that Viasat IS CONDITIONALLY DESIGNATED AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN ALL CENSUS BLOCKS IN THE STATES SPECIFIED HEREIN FOR WHICH IT IS ELIGIBLE TO RECEIVE SUPPORT AWARDED THROUGH THE CONNECT AMERICA PHASE II AUCTION. These designations are contingent upon Viasat becoming authorized to receive such support, are limited to those areas where support is authorized, and are effective only upon authorization.

31. IT IS FURTHER ORDERED that pursuant to section 1.3 of the Commission's rules, 47 CFR § 1.3, and pursuant to the authority delegated under sections 0.91, and 0.291 of the Commission's rules, 47 CFR §§ 0.91, 0.291, the deadline specified in section 54.315(b)(5) of the Commission's rules, 47 CFR § 54.315(b)(5), IS WAIVED to the extent described above.

32. IT IS FURTHER ORDERED that a copy of this Order SHALL BE TRANSMITTED to the relevant state commissions and to the Universal Service Administrative Company.

33. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

(Continued from previous page) _____
interest. *See Network IP, LLC v. FCC*, 548 F.3d 116, 127 (D.C. Cir. 2008). Deadlines can only be waived under "unusual or compelling circumstances." *Id.* at 126 (citation omitted).

⁶⁶ *See Auction 903 Closing Public Notice*, 33 FCC Rcd at 8268-69, para. 35.

ATTACHMENT

Winning Bidder	State(s)	Number of Census Blocks ⁶⁷	Number of Supported Locations
Viasat Inc.	AL	1,753	9,075
Viasat Inc.	CA	4,804	18,795
Viasat Inc.	FL	2,122	9,859
Viasat Inc.	WV	1,593	7,057

⁶⁷ Consistent with the requirements specified for completion of the long-form application and as described above in this Order, we define the designated service area for the bid area based on the published list of CAF-eligible census blocks associated with the winning bids of Viasat's parent company, Viasat, Inc., thus superseding any discrepancies in the petition's descriptions of such areas. *See* Connect America Fund Phase II: Assignments - Assigned Census Blocks, https://auctiondata.fcc.gov/public/projects/auction903/reports/all_assigned_census_blocks.

Attachment B

FCC Funding Authorization Notice



PUBLIC NOTICE

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

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

DA 19-981

Released: September 30, 2019

CONNECT AMERICA FUND PHASE II AUCTION SUPPORT FOR 566 WINNING BIDS READY TO BE AUTHORIZED

Listed Auction 903 Long-Form Applicants Must Submit Letters of Credit and Legal Counsel's Opinion Letters by Tuesday, October 15, 2019

AU Docket No. 17-182
WC Docket No. 10-90

By this Public Notice, the Rural Broadband Auctions Task Force, Wireline Competition Bureau, and the Office of Economics and Analytics announce they are ready to authorize Connect America Fund Phase II auction (Auction 903) support for the Auction 903 winning bids identified in Attachment A of this Public Notice. To be authorized to receive the total 10-year support amounts listed in Attachment A, the long-form applicants identified in that attachment are required to submit acceptable irrevocable stand-by letter(s) of credit and Bankruptcy Code opinion letter(s) from their legal counsel for each state where they have winning bids that are ready to be authorized in accordance with the instructions provided below by the applicable deadline – **prior to 6:00 p.m. ET on Tuesday, October 15, 2019.**

On August 28, 2018, we announced that there were 103 winning bidders in the auction and established the deadlines for winning bidders to submit their long-form applications for Connect America Fund Phase II support.¹ On October 30, 2018, after an opportunity for winning bidders to assign some or all of their winning bids to related entities, we announced that there were 134 long-form applicants.² We have reviewed the long-form applications associated with each of the winning bids identified in Attachment A. Based on the representations and certifications in each relevant long-form application, we are prepared to authorize support, subject to submission of the required letter(s) of credit and Bankruptcy Code opinion letter(s), for each of the winning bids identified in Attachment A.³

Auction 903 long-form applicants were required to certify that they are eligible telecommunications carriers (ETCs) in all bid areas and to submit appropriate documentation supporting such certification on or before February 25, 2019.⁴ We find good cause to waive this deadline for Viasat

¹ *Connect America Fund Phase II Auction (Auction 903) Closes; Winning Bidders Announced; FCC Form 683 Due October 15, 2018*, Public Notice, 33 FCC Rcd 8257 (WTB and WCB 2018) (*Auction 903 Closing Public Notice*).

² *134 Long-Form Applicants in the Connect America Fund Phase II Auction (Auction 903)*, Public Notice, 33 FCC Rcd 10967 (WTB and WCB 2018).

³ See 47 CFR § 54.315(b)(6)(v).

⁴ 47 CFR § 54.315(b)(5) (requiring winning bidders to submit within 180 days of the announcement of winning bids, a certification of ETC designation in all relevant areas and supporting documentation for that certification); *Connect America Fund Phase II Auction Scheduled for July 24, 2018; Notice and Filing Requirements and Other Procedures for Auction 903*, Public Notice, 33 FCC Rcd at 1519, para. 315 (2018) (*Auction 903 Procedures Public Notice*); see also *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 5949, 5999, 6002-05, paras. 141, 149-56 (2016) (*Phase II Auction Order*).

Carrier Services, Inc. (Georgia, Idaho, Kentucky, Louisiana, Maine, Montana, Wisconsin).⁵ Generally, the Commission's rules may be waived for good cause shown.⁶ The Commission has found that waiver of this deadline is appropriate when an ETC designation proceeding is not yet complete by the deadline despite the good faith efforts of the long-form applicant.⁷ The Commission has explained that it would presume such good faith efforts when the petitioner submitted its petition to the relevant authority within 30 days of the release of the *Auction 903 Closing Public Notice*.⁸ Because Viasat Carrier Services, Inc. filed its petitions with the respective state commissions (Georgia, Idaho, Kentucky, Louisiana, Maine, Montana, Wisconsin) within this 30-day time frame,⁹ we find Viasat Carrier Services, Inc. demonstrated due diligence and acted in good faith.¹⁰ Thus, there is good cause to waive the deadline.

Commission staff is reviewing information that is submitted with long-form applications on a rolling basis. Accordingly, a long-form applicant that was not included in this Public Notice but that has submitted all of the required information will be included in a future Public Notice once Commission staff finalizes its review of the long-form application.

Pursuant to section 54.315(b)(6)(v) of the Commission's rules, no later than 10 business days after we release a public notice identifying long-form applicants that may be authorized to receive Connect America Fund Phase II auction support, such long-form applicants must submit an irrevocable stand-by letter(s) of credit, issued in substantially the same form as set forth in the model letter of credit provided in Appendix B of the *Phase II Auction Order*¹¹ by a bank that is acceptable to the Commission.¹² **Prior to submitting their letters of credit, we encourage long-form applicants to view and share with their issuing banks the Letter of Credit Common Errors List available on USAC's website:** <https://www.usac.org/hc/funds/caf-phase-ii-auction.aspx>.

A separate letter(s) of credit must be submitted for each state where the long-form applicant has winning bids that are ready to be authorized in an amount equal to at least the first year of support in the state.¹³ Before a support recipient can receive its next year's support and each year's support thereafter, it

⁵ The Commission has delegated to the Wireline Competition Bureau the authority to grant waivers of the filing deadline. *See Phase II Auction Order*, 31 FCC Rcd at 6003, para. 153 & n.315. Viasat Carrier Services, Inc. filed a petition for waiver of the ETC designation deadline on February 25, 2019.

⁶ 47 CFR § 1.3. Waiver of the Commission's rules is appropriate only if both: (1) special circumstances warrant a deviation from the general rule, and (2) such deviation will serve the public interest. *See Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1157-59 (D.C. Cir. 1969), *cert. denied*, 93 S.Ct. 461 (1972)).

⁷ *See Auction 903 Closing Public Notice*, 33 FCC Rcd at 8268, para. 35 (citing *Phase II Auction Order*, 31 FCC Rcd at 6002-03, paras. 152-53).

⁸ *Id.*

⁹ Viasat Carrier Services, Inc. filed its ETC applications with each respective state on or before September 27, 2018, (Georgia, Idaho, Kentucky, Louisiana, Maine, Montana, Wisconsin), Viasat Carrier Services, Inc. Petition at 5.

¹⁰ *See also Telecommunications Carriers Eligible for Universal Service Support et al.*, WC Docket No. 09-197, Order, DA 19-394, at 9-10, paras. 31-32 (WCB May. 6, 2019) (May 2019 ETC Order); *Telecommunications Carriers Eligible for Universal Service Support et al.*, WC Docket No. 09-197, Order, DA 19-226, at 9-10, para. 31 (WCB Mar. 28, 2019) (waiving the Auction 903 deadline for submitting proof of ETC designation for certain ETCs designated by the Wireline Competition Bureau).

¹¹ *Phase II Auction Order*, 31 FCC Rcd at 6045-49, App. B.

¹² The Commission's rules list specific requirements for a bank to be acceptable to the Commission to issue the letter of credit. Those requirements vary for United States banks and non-U.S. banks. *See* 47 CFR § 54.315(c)(2); *Phase II Auction Order*, 31 FCC Rcd at 5992-97, paras. 126-33.

¹³ *Phase II Auction Order*, 31 FCC Rcd at 5991, para. 122.

must modify, renew, or obtain a new letter of credit to ensure that it is valued at a minimum at the total amount of support that has already been disbursed plus the amount of support that is going to be provided in the next year, subject to certain reductions when the support recipient has substantially met its service milestones.¹⁴

An applicant may obtain multiple letters of credit to cover all the bids in the state, but compliance with service milestones will be reviewed on a state-wide basis. Accordingly, if a long-form applicant chooses to obtain a letter of credit for each of its winning bids in a state and defaults, a draw on *all* of the letters of credit covering *all* of the bids in the state will be authorized.¹⁵

In addition, a long-form applicant is required to provide with the letter of credit an opinion letter from legal counsel clearly stating, subject only to customary assumptions, limitations, and qualifications, that, in a proceeding under the Bankruptcy Code, the bankruptcy court would not treat the letter of credit or proceeds of the letter of credit as property of the long-form applicant's bankruptcy estate, or the bankruptcy estate of any other bidder-related entity requesting issuance of the letter of credit, under section 541 of the Bankruptcy Code.¹⁶

By future public notice, we will authorize support for specific winning bids for which all requirements, including submission of the letter of credit and opinion letter, have been met.

Details concerning the next steps are set forth below.

Instructions for Submission of Letter of Credit and Opinion Letter

Long-form applicants identified in Attachment A of this Public Notice must submit a letter(s) of credit and opinion letter(s) for each state where it has winning bids identified in Attachment A. The minimum amount of the first letter of credit for each state is determined by adding up the first year of support listed in Attachment A for each winning bid in the state. The letter(s) of credit and opinion letter(s) submitted to the Universal Service Administrative Company (USAC) must reference the relevant study area code as listed in Attachment A.

The original of the letter of credit and opinion letter must be submitted to USAC by the applicable deadline—**prior to 6:00 p.m. ET on Tuesday, October 15, 2019**, at the following address: Universal Service Administrative Company (USAC), High Cost Program, CAF Phase II Auction LOC, 700 12th Street, NW, Suite 900, Washington, DC 20005. We recommend that each long-form applicant send the originals of both the letter of credit and the opinion letter by means of delivery requiring signature. These documents may be sent to the attention of Joanne Kim.

A copy of the letter of credit and opinion letter must also be submitted in the FCC Auction System by the applicable deadline—**prior to 6:00 p.m. ET on Tuesday, October 15, 2019**. An applicant must provide this required information in two attachments. The letter of credit attachment should be uploaded using the "Letter of Credit" attachment type, and the opinion letter attachment should be uploaded using the "Letter of Credit Opinion Letter" attachment type. Each attachment must be uploaded within the applicant's long-form application to each relevant winning bid identified in Attachment A of this public

¹⁴ 47 CFR § 54.315(c)(1); *Phase II Auction Order*, 31 FCC Rcd at 5991, 5997, paras. 122, 135. Once an Auction 903 support recipient has met its 60 percent service milestone, its letter of credit may be valued at 90 percent of the total support amount already disbursed plus the amount that will be disbursed in the coming year. Once an Auction 903 support recipient has met its 80 percent service milestone, its letter of credit may be valued at 60 percent of the total support amount already disbursed plus the amount that will be disbursed in the coming year. See 47 CFR § 54.315(c)(1); *Connect America Fund et al.*, Order on Reconsideration, 33 FCC Rcd 1380, 1405, para. 64; *Phase II Auction Order*, 31 FCC Rcd at 5997-98, para. 136.

¹⁵ *Phase II Auction Order*, 31 FCC Rcd at 5991, para. 122 & n.242.

¹⁶ 11 U.S.C. § 541; 47 CFR § 54.315(c)(3); *Phase II Auction Order*, 31 FCC Rcd at 5992, para. 125; *Auction 903 Procedures Public Notice*, 33 FCC Rcd at 1520, para. 313.

notice. Such attachments will be treated as confidential trade secrets and/or commercial information and withheld from routine public inspection.¹⁷ As such, a long-form applicant need not submit a separate section 0.459 confidentiality request for this information with its FCC Form 683.¹⁸

Any long-form applicant identified in Attachment A that fails to file the required documents¹⁹ for any of the identified winning bids by the applicable deadline – **prior to 6:00 p.m. ET on Tuesday, October 15, 2019** – will be in default on such bid(s) and subject to forfeiture.²⁰

Further Information Contact:

Technical Support

Electronic Filing
Auction Application System and CAF II Bidding
System (Hardware/Software Issues)

FCC Auctions Technical Support Hotline

(877) 480-3201, option nine; or (202) 414-1250
(202) 414-1255 (TTY)
Hours of service: 8:00 a.m. – 6:00 p.m. ET,
Monday through Friday

Press Information

Mark Wigfield, (202) 418-0253

General Universal Service Information

**Wireline Competition Bureau,
Telecommunications Access Policy Division**

Alexander Minard
Lauren Garry
Katie King
Heidi Lankau
(202) 418-7400

Universal Service Administrative Company

Joanne Kim
(202) 263-1600

¹⁷ If a request for public inspection under section 0.461 is made for the long-form applicant's letter of credit or attorney opinion letter, the long-form applicant will be notified and then must justify the continued confidential treatment of the information if it objects to the disclosure. 47 CFR §§ 0.459, 0.461.

¹⁸ 47 CFR § 0.459.

¹⁹ 47 CFR § 54.313(b)(6)(v).

²⁰ *Phase II Auction Order*, 31 FCC Rcd at 6000-01, paras. 143-45; *Auction 903 Procedures Public Notice*, 33 FCC Rcd at 1520-21, paras. 314-15; *Auction 903 Closing Public Notice* at 9-10.

Auction 903 Information

General Auction Information, Process, and Procedures

**Office of Economics and Analytics,
Auctions Division**
(717) 338-2868

Post-Auction Rules, Policies, and Regulations

Rural Broadband Auctions Task Force
Michael Janson, (202) 418-0627
Kirk Burgee, (202) 418-1599
Nathan Eagan, (202) 418-0991

**Office of Economics and Analytics,
Auctions Division**
(202) 418-0660

Small Businesses

Additional information for small and disadvantaged businesses

**Office of Communications Business
Opportunities**
(202) 418-0990
<http://www.fcc.gov/ocbo/>

Accessible Formats

Braille, large print, electronic files, or audio format for people with disabilities

Consumer and Governmental Affairs Bureau
(202) 418-0530 or (202) 418-0432 (TTY)
fcc504@fcc.gov

FCC Internet Sites

<http://www.fcc.gov>
www.fcc.gov/auction/903

This Public Notice contains the following Attachments:

Attachment A: Ready to Authorize Long-Form Applicants and Bids

-FCC-

Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Cherokee Telephone Company	0004365318	OK-063-4847001	Oklahoma	Y	439081	1	100	491	\$ 224,474.50	\$ 22,447.45
Cherokee Telephone Company	0004365318	OK-063-4847002	Oklahoma	Y	439081	1	56	277	\$ 172,647.00	\$ 17,264.70
Cherokee Telephone Company	0004365318	OK-063-4850001	Oklahoma	Y	439081	1	32	156	\$ 70,269.50	\$ 7,026.95
Cherokee Telephone Company	0004365318	OK-063-4850002	Oklahoma	Y	439081	1	43	171	\$ 80,405.00	\$ 8,040.50
Cherokee Telephone Company	0004365318	OK-063-4850003	Oklahoma	Y	439081	1	18	71	\$ 47,179.00	\$ 4,717.90
Horry Telephone Cooperative, Inc.	0001886944	SC-043-9204001	South Carolina	Y	249035	1	11	38	\$ 166,763.30	\$ 16,676.33
Horry Telephone Cooperative, Inc.	0001886944	SC-043-9205051	South Carolina	Y	249035	1	4	11	\$ 36,194.80	\$ 3,619.48
Horry Telephone Cooperative, Inc.	0001886944	SC-067-9505003	South Carolina	Y	249035	1	2	31	\$ 30,531.90	\$ 3,053.19
Viasat Carrier Services, Inc.	0027846104	Package_2 AL	Alabama	Y	259049	604	1,753	9,075	\$ 3,692,934.50	\$ 369,293.45
Viasat Carrier Services, Inc.	0027846104	AZ-005-0005004	Arizona	Y	459030	1	1	1	\$ 41.80	\$ 4.18
Viasat Carrier Services, Inc.	0027846104	AZ-005-0021007	Arizona	Y	459030	1	7	75	\$ 3,789.20	\$ 378.92
Viasat Carrier Services, Inc.	0027846104	AZ-007-0002001	Arizona	Y	459030	1	4	9	\$ 11,791.90	\$ 1,179.19
Viasat Carrier Services, Inc.	0027846104	AZ-007-0004003	Arizona	Y	459030	1	1	2	\$ 813.30	\$ 81.33
Viasat Carrier Services, Inc.	0027846104	AZ-007-0010002	Arizona	Y	459030	1	2	3	\$ 1,606.50	\$ 160.65
Viasat Carrier Services, Inc.	0027846104	AZ-007-0011003	Arizona	Y	459030	1	1	6	\$ 389.90	\$ 38.99
Viasat Carrier Services, Inc.	0027846104	AZ-013-0405152	Arizona	Y	459030	1	3	73	\$ 34,741.00	\$ 3,474.10
Viasat Carrier Services, Inc.	0027846104	AZ-013-0405161	Arizona	Y	459030	1	2	3	\$ 4,392.10	\$ 439.21
Viasat Carrier Services, Inc.	0027846104	AZ-013-0610281	Arizona	Y	459030	1	2	2	\$ 855.90	\$ 85.59
Viasat Carrier Services, Inc.	0027846104	AZ-013-0610393	Arizona	Y	459030	1	1	1	\$ 340.70	\$ 34.07
Viasat Carrier Services, Inc.	0027846104	AZ-013-0611001	Arizona	Y	459030	1	3	5	\$ 1,588.20	\$ 158.82

**Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids**

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	AZ-013-0822071	Arizona	Y	459030	1	1	1	\$ 307.30	\$ 30.73
Viasat Carrier Services, Inc.	0027846104	AZ-013-1036081	Arizona	Y	459030	1	1	1	\$ 301.40	\$ 30.14
Viasat Carrier Services, Inc.	0027846104	AZ-013-1125141	Arizona	Y	459030	1	2	7	\$ 3,469.40	\$ 346.94
Viasat Carrier Services, Inc.	0027846104	AZ-013-1152003	Arizona	Y	459030	1	2	4	\$ 799.90	\$ 79.99
Viasat Carrier Services, Inc.	0027846104	AZ-013-1166102	Arizona	Y	459030	1	2	2	\$ 616.20	\$ 61.62
Viasat Carrier Services, Inc.	0027846104	AZ-013-1169001	Arizona	Y	459030	1	1	2	\$ 389.10	\$ 38.91
Viasat Carrier Services, Inc.	0027846104	AZ-013-2168092	Arizona	Y	459030	1	1	6	\$ 344.00	\$ 34.40
Viasat Carrier Services, Inc.	0027846104	AZ-013-2168191	Arizona	Y	459030	1	1	4	\$ 362.40	\$ 36.24
Viasat Carrier Services, Inc.	0027846104	AZ-013-2168211	Arizona	Y	459030	1	1	1	\$ 297.30	\$ 29.73
Viasat Carrier Services, Inc.	0027846104	AZ-013-4201101	Arizona	Y	459030	1	1	3	\$ 169.50	\$ 16.95
Viasat Carrier Services, Inc.	0027846104	AZ-013-4203041	Arizona	Y	459030	1	1	3	\$ 335.70	\$ 33.57
Viasat Carrier Services, Inc.	0027846104	AZ-013-4207071	Arizona	Y	459030	1	1	1	\$ 116.10	\$ 11.61
Viasat Carrier Services, Inc.	0027846104	AZ-013-4223013	Arizona	Y	459030	1	1	1	\$ 325.70	\$ 32.57
Viasat Carrier Services, Inc.	0027846104	AZ-013-4223072	Arizona	Y	459030	1	1	2	\$ 346.50	\$ 34.65
Viasat Carrier Services, Inc.	0027846104	AZ-013-4226151	Arizona	Y	459030	1	2	7	\$ 463.40	\$ 46.34
Viasat Carrier Services, Inc.	0027846104	AZ-013-4226311	Arizona	Y	459030	1	1	2	\$ 617.90	\$ 61.79
Viasat Carrier Services, Inc.	0027846104	AZ-013-4226393	Arizona	Y	459030	1	2	4	\$ 1,414.50	\$ 141.45
Viasat Carrier Services, Inc.	0027846104	AZ-013-4226441	Arizona	Y	459030	1	1	1	\$ 519.40	\$ 51.94
Viasat Carrier Services, Inc.	0027846104	AZ-013-6108001	Arizona	Y	459030	1	5	50	\$ 23,162.90	\$ 2,316.29
Viasat Carrier Services, Inc.	0027846104	AZ-013-8104002	Arizona	Y	459030	1	3	18	\$ 2,122.60	\$ 212.26

Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	AZ-013-8143001	Arizona	Y	459030	1	1	1	\$ 344.00	\$ 34.40
Viasat Carrier Services, Inc.	0027846104	AZ-013-8152001	Arizona	Y	459030	1	1	1	\$ 319.00	\$ 31.90
Viasat Carrier Services, Inc.	0027846104	AZ-021-0002012	Arizona	Y	459030	1	4	20	\$ 10,436.70	\$ 1,043.67
Viasat Carrier Services, Inc.	0027846104	AZ-025-0006071	Arizona	Y	459030	1	2	3	\$ 1,557.30	\$ 155.73
Viasat Carrier Services, Inc.	0027846104	AZ-025-0006102	Arizona	Y	459030	1	1	6	\$ 3,774.20	\$ 377.42
Viasat Carrier Services, Inc.	0027846104	AZ-025-0007003	Arizona	Y	459030	1	8	22	\$ 15,903.40	\$ 1,590.34
Viasat Carrier Services, Inc.	0027846104	AZ-025-0014011	Arizona	Y	459030	1	1	1	\$ 392.50	\$ 39.25
Viasat Carrier Services, Inc.	0027846104	CA-001-4060003	California	Y	549035	1	1	3	\$ 159.50	\$ 15.95
Viasat Carrier Services, Inc.	0027846104	CA-001-4090002	California	Y	549035	1	3	15	\$ 7,808.90	\$ 780.89
Viasat Carrier Services, Inc.	0027846104	CA-001-4220002	California	Y	549035	1	3	12	\$ 665.50	\$ 66.55
Viasat Carrier Services, Inc.	0027846104	CA-001-4351022	California	Y	549035	1	2	4	\$ 2,580.20	\$ 258.02
Viasat Carrier Services, Inc.	0027846104	CA-001-4358001	California	Y	549035	1	1	1	\$ 339.00	\$ 33.90
Viasat Carrier Services, Inc.	0027846104	CA-001-4419232	California	Y	549035	1	1	8	\$ 582.00	\$ 58.20
Viasat Carrier Services, Inc.	0027846104	CA-001-4501021	California	Y	549035	1	1	1	\$ 277.20	\$ 27.72
Viasat Carrier Services, Inc.	0027846104	CA-001-4501023	California	Y	549035	1	1	5	\$ 1,697.60	\$ 169.76
Viasat Carrier Services, Inc.	0027846104	CA-001-4506012	California	Y	549035	1	1	7	\$ 493.50	\$ 49.35
Viasat Carrier Services, Inc.	0027846104	CA-001-4507411	California	Y	549035	1	1	1	\$ 285.60	\$ 28.56
Viasat Carrier Services, Inc.	0027846104	CA-001-4507431	California	Y	549035	1	2	24	\$ 3,281.60	\$ 328.16
Viasat Carrier Services, Inc.	0027846104	CA-001-4507441	California	Y	549035	1	1	2	\$ 624.60	\$ 62.46
Viasat Carrier Services, Inc.	0027846104	CA-001-4507521	California	Y	549035	1	1	13	\$ 1,789.40	\$ 178.94

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Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	CA-001-4511013	California	Y	549035	1	25	245	\$ 152,607.10	\$ 15,260.71
Viasat Carrier Services, Inc.	0027846104	CA-001-4511015	California	Y	549035	1	6	41	\$ 18,064.40	\$ 1,806.44
Viasat Carrier Services, Inc.	0027846104	CA-001-9820001	California	Y	549035	1	1	6	\$ 1,466.30	\$ 146.63
Viasat Carrier Services, Inc.	0027846104	CA-007-0011002	California	Y	549035	1	1	1	\$ 46.80	\$ 4.68
Viasat Carrier Services, Inc.	0027846104	CA-007-0013003	California	Y	549035	1	3	13	\$ 688.90	\$ 68.89
Viasat Carrier Services, Inc.	0027846104	CA-013-3050003	California	Y	549035	1	7	33	\$ 4,983.30	\$ 498.33
Viasat Carrier Services, Inc.	0027846104	CA-013-3090001	California	Y	549035	1	1	5	\$ 2,056.60	\$ 205.66
Viasat Carrier Services, Inc.	0027846104	CA-013-3170001	California	Y	549035	1	1	4	\$ 2,201.90	\$ 220.19
Viasat Carrier Services, Inc.	0027846104	CA-013-3452042	California	Y	549035	1	1	1	\$ 73.50	\$ 7.35
Viasat Carrier Services, Inc.	0027846104	CA-013-3470002	California	Y	549035	1	3	8	\$ 6,488.80	\$ 648.88
Viasat Carrier Services, Inc.	0027846104	CA-013-3540022	California	Y	549035	1	1	2	\$ 157.00	\$ 15.70
Viasat Carrier Services, Inc.	0027846104	CA-013-3553045	California	Y	549035	1	1	4	\$ 810.80	\$ 81.08
Viasat Carrier Services, Inc.	0027846104	CA-013-3580005	California	Y	549035	1	2	7	\$ 3,642.30	\$ 364.23
Viasat Carrier Services, Inc.	0027846104	CA-013-3591032	California	Y	549035	1	1	2	\$ 499.30	\$ 49.93
Viasat Carrier Services, Inc.	0027846104	CA-013-3592031	California	Y	549035	1	1	1	\$ 60.10	\$ 6.01
Viasat Carrier Services, Inc.	0027846104	CA-013-3650023	California	Y	549035	1	3	7	\$ 2,319.60	\$ 231.96
Viasat Carrier Services, Inc.	0027846104	CA-013-3922002	California	Y	549035	1	4	24	\$ 9,033.00	\$ 903.30
Viasat Carrier Services, Inc.	0027846104	CA-015-0001011	California	Y	549035	1	1	1	\$ 54.30	\$ 5.43
Viasat Carrier Services, Inc.	0027846104	CA-015-0002021	California	Y	549035	1	7	13	\$ 19,031.30	\$ 1,903.13
Viasat Carrier Services, Inc.	0027846104	CA-019-0064051	California	Y	549035	1	1	13	\$ 4,387.10	\$ 438.71

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Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	CA-023-0102001	California	Y	549035	1	16	76	\$ 76,043.50	\$ 7,604.35
Viasat Carrier Services, Inc.	0027846104	CA-029-0032063	California	Y	549035	1	1	3	\$ 1,125.60	\$ 112.56
Viasat Carrier Services, Inc.	0027846104	CA-029-0033051	California	Y	549035	1	1	12	\$ 7,110.90	\$ 711.09
Viasat Carrier Services, Inc.	0027846104	CA-029-0038092	California	Y	549035	1	1	3	\$ 1,080.50	\$ 108.05
Viasat Carrier Services, Inc.	0027846104	CA-029-0043012	California	Y	549035	1	2	5	\$ 2,960.10	\$ 296.01
Viasat Carrier Services, Inc.	0027846104	CA-029-0054023	California	Y	549035	1	1	2	\$ 106.00	\$ 10.60
Viasat Carrier Services, Inc.	0027846104	CA-029-0055072	California	Y	549035	1	3	15	\$ 2,477.40	\$ 247.74
Viasat Carrier Services, Inc.	0027846104	CA-029-0060033	California	Y	549035	1	1	3	\$ 437.50	\$ 43.75
Viasat Carrier Services, Inc.	0027846104	CA-033-0001001	California	Y	549035	1	9	21	\$ 11,915.50	\$ 1,191.55
Viasat Carrier Services, Inc.	0027846104	CA-033-0003001	California	Y	549035	1	11	39	\$ 31,158.00	\$ 3,115.80
Viasat Carrier Services, Inc.	0027846104	CA-033-0003002	California	Y	549035	1	5	13	\$ 5,860.90	\$ 586.09
Viasat Carrier Services, Inc.	0027846104	CA-033-0004005	California	Y	549035	1	2	11	\$ 908.50	\$ 90.85
Viasat Carrier Services, Inc.	0027846104	CA-033-0006001	California	Y	549035	1	7	18	\$ 15,318.90	\$ 1,531.89
Viasat Carrier Services, Inc.	0027846104	CA-033-0006005	California	Y	549035	1	23	116	\$ 72,819.50	\$ 7,281.95
Viasat Carrier Services, Inc.	0027846104	CA-033-0007011	California	Y	549035	1	6	12	\$ 9,958.20	\$ 995.82
Viasat Carrier Services, Inc.	0027846104	CA-033-0010001	California	Y	549035	1	5	25	\$ 11,837.00	\$ 1,183.70
Viasat Carrier Services, Inc.	0027846104	CA-033-0010002	California	Y	549035	1	5	16	\$ 6,025.40	\$ 602.54
Viasat Carrier Services, Inc.	0027846104	CA-033-0010004	California	Y	549035	1	10	34	\$ 16,008.60	\$ 1,600.86
Viasat Carrier Services, Inc.	0027846104	CA-033-0011001	California	Y	549035	1	29	389	\$ 144,509.30	\$ 14,450.93
Viasat Carrier Services, Inc.	0027846104	CA-033-0012002	California	Y	549035	1	16	53	\$ 30,588.60	\$ 3,058.86

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Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	CA-033-0013002	California	Y	549035	1	4	19	\$ 11,185.70	\$ 1,118.57
Viasat Carrier Services, Inc.	0027846104	CA-033-0013003	California	Y	549035	1	8	26	\$ 15,423.30	\$ 1,542.33
Viasat Carrier Services, Inc.	0027846104	CA-037-1014002	California	Y	549035	1	1	2	\$ 846.70	\$ 84.67
Viasat Carrier Services, Inc.	0027846104	CA-037-1066032	California	Y	549035	1	1	1	\$ 676.40	\$ 67.64
Viasat Carrier Services, Inc.	0027846104	CA-037-6703263	California	Y	549035	1	1	1	\$ 96.90	\$ 9.69
Viasat Carrier Services, Inc.	0027846104	CA-037-8003261	California	Y	549035	1	1	27	\$ 9,091.50	\$ 909.15
Viasat Carrier Services, Inc.	0027846104	CA-037-9003001	California	Y	549035	1	3	9	\$ 6,224.90	\$ 622.49
Viasat Carrier Services, Inc.	0027846104	CA-037-9102051	California	Y	549035	1	2	6	\$ 4,091.50	\$ 409.15
Viasat Carrier Services, Inc.	0027846104	CA-037-9108081	California	Y	549035	1	1	4	\$ 300.60	\$ 30.06
Viasat Carrier Services, Inc.	0027846104	CA-037-9200321	California	Y	549035	1	3	5	\$ 3,645.60	\$ 364.56
Viasat Carrier Services, Inc.	0027846104	CA-037-9201191	California	Y	549035	1	1	7	\$ 1,680.00	\$ 168.00
Viasat Carrier Services, Inc.	0027846104	CA-041-1011001	California	Y	549035	1	4	9	\$ 3,826.00	\$ 382.60
Viasat Carrier Services, Inc.	0027846104	CA-041-1031002	California	Y	549035	1	4	10	\$ 5,414.10	\$ 541.41
Viasat Carrier Services, Inc.	0027846104	CA-041-1122022	California	Y	549035	1	1	2	\$ 451.70	\$ 45.17
Viasat Carrier Services, Inc.	0027846104	CA-041-1302021	California	Y	549035	1	1	2	\$ 530.20	\$ 53.02
Viasat Carrier Services, Inc.	0027846104	CA-045-0101001	California	Y	549035	1	73	207	\$ 303,031.50	\$ 30,303.15
Viasat Carrier Services, Inc.	0027846104	CA-045-0108021	California	Y	549035	1	11	50	\$ 51,646.40	\$ 5,164.64
Viasat Carrier Services, Inc.	0027846104	CA-045-0110021	California	Y	549035	1	5	26	\$ 33,480.20	\$ 3,348.02
Viasat Carrier Services, Inc.	0027846104	CA-045-0111022	California	Y	549035	1	5	23	\$ 9,475.60	\$ 947.56
Viasat Carrier Services, Inc.	0027846104	CA-045-0112001	California	Y	549035	1	22	82	\$ 114,188.80	\$ 11,418.88

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Viasat Carrier Services, Inc.	0027846104	CA-045-0118001	California	Y	549035	1	82	275	\$ 243,393.30	\$ 24,339.33
Viasat Carrier Services, Inc.	0027846104	CA-053-0105041	California	Y	549035	1	3	83	\$ 30,436.60	\$ 3,043.66
Viasat Carrier Services, Inc.	0027846104	CA-053-0113041	California	Y	549035	1	22	37	\$ 50,432.30	\$ 5,043.23
Viasat Carrier Services, Inc.	0027846104	CA-053-0116023	California	Y	549035	1	2	12	\$ 5,047.60	\$ 504.76
Viasat Carrier Services, Inc.	0027846104	CA-053-0130002	California	Y	549035	1	2	17	\$ 1,519.70	\$ 151.97
Viasat Carrier Services, Inc.	0027846104	CA-053-0133002	California	Y	549035	1	2	6	\$ 2,459.90	\$ 245.99
Viasat Carrier Services, Inc.	0027846104	CA-053-0140001	California	Y	549035	1	2	26	\$ 1,763.50	\$ 176.35
Viasat Carrier Services, Inc.	0027846104	CA-055-2006014	California	Y	549035	1	1	1	\$ 39.20	\$ 3.92
Viasat Carrier Services, Inc.	0027846104	CA-055-2009001	California	Y	549035	1	3	20	\$ 6,219.90	\$ 621.99
Viasat Carrier Services, Inc.	0027846104	CA-055-2010031	California	Y	549035	1	5	71	\$ 34,987.30	\$ 3,498.73
Viasat Carrier Services, Inc.	0027846104	CA-055-2012001	California	Y	549035	1	6	23	\$ 10,291.40	\$ 1,029.14
Viasat Carrier Services, Inc.	0027846104	CA-055-2013001	California	Y	549035	1	1	1	\$ 263.00	\$ 26.30
Viasat Carrier Services, Inc.	0027846104	CA-055-2016012	California	Y	549035	1	2	7	\$ 2,005.70	\$ 200.57
Viasat Carrier Services, Inc.	0027846104	CA-055-2018002	California	Y	549035	1	9	100	\$ 43,478.50	\$ 4,347.85
Viasat Carrier Services, Inc.	0027846104	CA-055-2019001	California	Y	549035	1	8	155	\$ 65,309.50	\$ 6,530.95
Viasat Carrier Services, Inc.	0027846104	CA-057-0001041	California	Y	549035	1	1	1	\$ 84.30	\$ 8.43
Viasat Carrier Services, Inc.	0027846104	CA-057-0001042	California	Y	549035	1	1	8	\$ 531.10	\$ 53.11
Viasat Carrier Services, Inc.	0027846104	CA-057-0006002	California	Y	549035	1	1	4	\$ 157.80	\$ 15.78
Viasat Carrier Services, Inc.	0027846104	CA-057-0007015	California	Y	549035	1	8	70	\$ 6,474.60	\$ 647.46
Viasat Carrier Services, Inc.	0027846104	CA-059-0320152	California	Y	549035	1	1	2	\$ 162.00	\$ 16.20

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Viasat Carrier Services, Inc.	0027846104	CA-059-0320233	California	Y	549035	1	3	5	\$ 7,319.60	\$ 731.96
Viasat Carrier Services, Inc.	0027846104	CA-059-0320411	California	Y	549035	1	7	37	\$ 22,564.20	\$ 2,256.42
Viasat Carrier Services, Inc.	0027846104	CA-059-0320421	California	Y	549035	1	1	4	\$ 1,400.30	\$ 140.03
Viasat Carrier Services, Inc.	0027846104	CA-059-0320471	California	Y	549035	1	1	1	\$ 232.10	\$ 23.21
Viasat Carrier Services, Inc.	0027846104	CA-059-0320564	California	Y	549035	1	2	19	\$ 7,361.40	\$ 736.14
Viasat Carrier Services, Inc.	0027846104	CA-059-0320612	California	Y	549035	1	3	6	\$ 1,692.50	\$ 169.25
Viasat Carrier Services, Inc.	0027846104	CA-059-0423152	California	Y	549035	1	1	2	\$ 126.90	\$ 12.69
Viasat Carrier Services, Inc.	0027846104	CA-059-0423192	California	Y	549035	1	1	2	\$ 237.10	\$ 23.71
Viasat Carrier Services, Inc.	0027846104	CA-059-0423202	California	Y	549035	1	1	6	\$ 354.90	\$ 35.49
Viasat Carrier Services, Inc.	0027846104	CA-059-0423321	California	Y	549035	1	1	5	\$ 1,057.10	\$ 105.71
Viasat Carrier Services, Inc.	0027846104	CA-059-0524083	California	Y	549035	1	3	14	\$ 1,793.60	\$ 179.36
Viasat Carrier Services, Inc.	0027846104	CA-059-0524102	California	Y	549035	1	3	27	\$ 2,039.90	\$ 203.99
Viasat Carrier Services, Inc.	0027846104	CA-059-0524184	California	Y	549035	1	3	5	\$ 2,684.50	\$ 268.45
Viasat Carrier Services, Inc.	0027846104	CA-059-0524222	California	Y	549035	1	4	12	\$ 1,228.30	\$ 122.83
Viasat Carrier Services, Inc.	0027846104	CA-059-0525172	California	Y	549035	1	1	1	\$ 265.50	\$ 26.55
Viasat Carrier Services, Inc.	0027846104	CA-059-0525191	California	Y	549035	1	1	1	\$ 663.80	\$ 66.38
Viasat Carrier Services, Inc.	0027846104	CA-059-0626042	California	Y	549035	1	7	24	\$ 9,619.20	\$ 961.92
Viasat Carrier Services, Inc.	0027846104	CA-059-0626045	California	Y	549035	1	1	2	\$ 74.30	\$ 7.43
Viasat Carrier Services, Inc.	0027846104	CA-059-0626102	California	Y	549035	1	6	23	\$ 7,272.90	\$ 727.29
Viasat Carrier Services, Inc.	0027846104	CA-059-0626112	California	Y	549035	1	1	2	\$ 718.10	\$ 71.81

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Viasat Carrier Services, Inc.	0027846104	CA-059-0626431	California	Y	549035	1	4	15	\$ 5,236.30	\$ 523.63
Viasat Carrier Services, Inc.	0027846104	CA-059-0755151	California	Y	549035	1	7	40	\$ 3,912.00	\$ 391.20
Viasat Carrier Services, Inc.	0027846104	CA-059-0755154	California	Y	549035	1	1	2	\$ 536.90	\$ 53.69
Viasat Carrier Services, Inc.	0027846104	CA-059-0756045	California	Y	549035	1	1	2	\$ 566.10	\$ 56.61
Viasat Carrier Services, Inc.	0027846104	CA-059-0995021	California	Y	549035	1	3	6	\$ 3,124.60	\$ 312.46
Viasat Carrier Services, Inc.	0027846104	CA-063-0001003	California	Y	549035	1	2	2	\$ 152.00	\$ 15.20
Viasat Carrier Services, Inc.	0027846104	CA-063-0003003	California	Y	549035	1	9	28	\$ 2,649.50	\$ 264.95
Viasat Carrier Services, Inc.	0027846104	CA-065-0406072	California	Y	549035	1	1	11	\$ 7,608.50	\$ 760.85
Viasat Carrier Services, Inc.	0027846104	CA-065-0427261	California	Y	549035	1	1	2	\$ 2,927.50	\$ 292.75
Viasat Carrier Services, Inc.	0027846104	CA-065-0429011	California	Y	549035	1	2	3	\$ 1,081.30	\$ 108.13
Viasat Carrier Services, Inc.	0027846104	CA-065-0429042	California	Y	549035	1	3	26	\$ 7,949.20	\$ 794.92
Viasat Carrier Services, Inc.	0027846104	CA-065-0432391	California	Y	549035	1	5	13	\$ 10,245.50	\$ 1,024.55
Viasat Carrier Services, Inc.	0027846104	CA-065-0432793	California	Y	549035	1	1	2	\$ 477.60	\$ 47.76
Viasat Carrier Services, Inc.	0027846104	CA-065-0438131	California	Y	549035	1	2	8	\$ 5,684.70	\$ 568.47
Viasat Carrier Services, Inc.	0027846104	CA-065-0444024	California	Y	549035	1	2	4	\$ 2,792.20	\$ 279.22
Viasat Carrier Services, Inc.	0027846104	CA-065-0494001	California	Y	549035	1	2	6	\$ 3,151.30	\$ 315.13
Viasat Carrier Services, Inc.	0027846104	CA-067-0006001	California	Y	549035	1	1	7	\$ 379.10	\$ 37.91
Viasat Carrier Services, Inc.	0027846104	CA-067-0008001	California	Y	549035	1	1	2	\$ 126.90	\$ 12.69
Viasat Carrier Services, Inc.	0027846104	CA-067-0022002	California	Y	549035	1	3	7	\$ 3,299.10	\$ 329.91
Viasat Carrier Services, Inc.	0027846104	CA-067-0053011	California	Y	549035	1	3	10	\$ 1,833.70	\$ 183.37

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Viasat Carrier Services, Inc.	0027846104	CA-067-0062021	California	Y	549035	1	1	2	\$ 266.40	\$ 26.64
Viasat Carrier Services, Inc.	0027846104	CA-067-0072061	California	Y	549035	1	1	2	\$ 140.30	\$ 14.03
Viasat Carrier Services, Inc.	0027846104	CA-067-0090083	California	Y	549035	1	1	1	\$ 52.60	\$ 5.26
Viasat Carrier Services, Inc.	0027846104	CA-069-0001004	California	Y	549035	1	1	7	\$ 5,053.40	\$ 505.34
Viasat Carrier Services, Inc.	0027846104	CA-071-0027061	California	Y	549035	1	2	10	\$ 7,358.00	\$ 735.80
Viasat Carrier Services, Inc.	0027846104	CA-071-0045031	California	Y	549035	1	2	20	\$ 12,232.80	\$ 1,223.28
Viasat Carrier Services, Inc.	0027846104	CA-071-0078001	California	Y	549035	1	3	12	\$ 8,170.50	\$ 817.05
Viasat Carrier Services, Inc.	0027846104	CA-071-0086012	California	Y	549035	1	1	3	\$ 1,221.60	\$ 122.16
Viasat Carrier Services, Inc.	0027846104	CA-071-0086022	California	Y	549035	1	4	19	\$ 12,344.60	\$ 1,234.46
Viasat Carrier Services, Inc.	0027846104	CA-071-0091102	California	Y	549035	1	1	9	\$ 3,201.40	\$ 320.14
Viasat Carrier Services, Inc.	0027846104	CA-071-0097072	California	Y	549035	1	8	41	\$ 10,545.20	\$ 1,054.52
Viasat Carrier Services, Inc.	0027846104	CA-071-0097141	California	Y	549035	1	1	3	\$ 1,103.90	\$ 110.39
Viasat Carrier Services, Inc.	0027846104	CA-071-0100091	California	Y	549035	1	6	23	\$ 5,508.50	\$ 550.85
Viasat Carrier Services, Inc.	0027846104	CA-071-0100133	California	Y	549035	1	2	10	\$ 2,474.90	\$ 247.49
Viasat Carrier Services, Inc.	0027846104	CA-071-0104112	California	Y	549035	1	1	3	\$ 3,583.00	\$ 358.30
Viasat Carrier Services, Inc.	0027846104	CA-071-0104134	California	Y	549035	1	1	1	\$ 390.80	\$ 39.08
Viasat Carrier Services, Inc.	0027846104	CA-071-0104151	California	Y	549035	1	3	6	\$ 1,827.00	\$ 182.70
Viasat Carrier Services, Inc.	0027846104	CA-073-0030031	California	Y	549035	1	1	1	\$ 257.20	\$ 25.72
Viasat Carrier Services, Inc.	0027846104	CA-073-0051002	California	Y	549035	1	5	15	\$ 1,843.70	\$ 184.37
Viasat Carrier Services, Inc.	0027846104	CA-073-0061002	California	Y	549035	1	4	11	\$ 1,243.30	\$ 124.33

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Viasat Carrier Services, Inc.	0027846104	CA-073-0065003	California	Y	549035	1	2	9	\$ 819.10	\$ 81.91
Viasat Carrier Services, Inc.	0027846104	CA-073-0066001	California	Y	549035	1	1	1	\$ 38.40	\$ 3.84
Viasat Carrier Services, Inc.	0027846104	CA-073-0100094	California	Y	549035	1	1	3	\$ 1,647.50	\$ 164.75
Viasat Carrier Services, Inc.	0027846104	CA-073-0100142	California	Y	549035	1	3	15	\$ 6,857.90	\$ 685.79
Viasat Carrier Services, Inc.	0027846104	CA-073-0132063	California	Y	549035	1	1	1	\$ 251.30	\$ 25.13
Viasat Carrier Services, Inc.	0027846104	CA-073-0148033	California	Y	549035	1	1	3	\$ 400.80	\$ 40.08
Viasat Carrier Services, Inc.	0027846104	CA-073-0150002	California	Y	549035	1	1	1	\$ 410.80	\$ 41.08
Viasat Carrier Services, Inc.	0027846104	CA-073-0155011	California	Y	549035	1	1	3	\$ 2,159.30	\$ 215.93
Viasat Carrier Services, Inc.	0027846104	CA-073-0160002	California	Y	549035	1	1	5	\$ 289.70	\$ 28.97
Viasat Carrier Services, Inc.	0027846104	CA-073-0162021	California	Y	549035	1	2	13	\$ 845.00	\$ 84.50
Viasat Carrier Services, Inc.	0027846104	CA-073-0166052	California	Y	549035	1	1	6	\$ 2,270.40	\$ 227.04
Viasat Carrier Services, Inc.	0027846104	CA-073-0168022	California	Y	549035	1	2	15	\$ 3,961.20	\$ 396.12
Viasat Carrier Services, Inc.	0027846104	CA-073-0168073	California	Y	549035	1	1	5	\$ 322.30	\$ 32.23
Viasat Carrier Services, Inc.	0027846104	CA-073-0169014	California	Y	549035	1	1	3	\$ 123.60	\$ 12.36
Viasat Carrier Services, Inc.	0027846104	CA-073-0170201	California	Y	549035	1	5	11	\$ 9,702.70	\$ 970.27
Viasat Carrier Services, Inc.	0027846104	CA-073-0170211	California	Y	549035	1	1	2	\$ 123.60	\$ 12.36
Viasat Carrier Services, Inc.	0027846104	CA-073-0170212	California	Y	549035	1	3	11	\$ 4,041.40	\$ 404.14
Viasat Carrier Services, Inc.	0027846104	CA-073-0172001	California	Y	549035	1	1	1	\$ 391.60	\$ 39.16
Viasat Carrier Services, Inc.	0027846104	CA-073-0184003	California	Y	549035	1	2	5	\$ 300.60	\$ 30.06
Viasat Carrier Services, Inc.	0027846104	CA-073-0185182	California	Y	549035	1	1	1	\$ 363.20	\$ 36.32

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Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	CA-073-0187001	California	Y	549035	1	5	12	\$ 6,382.70	\$ 638.27
Viasat Carrier Services, Inc.	0027846104	CA-073-0189031	California	Y	549035	1	1	1	\$ 428.40	\$ 42.84
Viasat Carrier Services, Inc.	0027846104	CA-073-0190011	California	Y	549035	1	6	49	\$ 30,258.70	\$ 3,025.87
Viasat Carrier Services, Inc.	0027846104	CA-073-0191062	California	Y	549035	1	3	13	\$ 7,147.60	\$ 714.76
Viasat Carrier Services, Inc.	0027846104	CA-073-0193031	California	Y	549035	1	1	1	\$ 536.90	\$ 53.69
Viasat Carrier Services, Inc.	0027846104	CA-073-0200271	California	Y	549035	1	1	5	\$ 1,186.50	\$ 118.65
Viasat Carrier Services, Inc.	0027846104	CA-073-0201031	California	Y	549035	1	4	8	\$ 10,339.80	\$ 1,033.98
Viasat Carrier Services, Inc.	0027846104	CA-073-0201032	California	Y	549035	1	3	17	\$ 8,409.30	\$ 840.93
Viasat Carrier Services, Inc.	0027846104	CA-073-0203061	California	Y	549035	1	13	42	\$ 16,850.30	\$ 1,685.03
Viasat Carrier Services, Inc.	0027846104	CA-073-0203071	California	Y	549035	1	4	14	\$ 5,824.10	\$ 582.41
Viasat Carrier Services, Inc.	0027846104	CA-073-0205003	California	Y	549035	1	1	4	\$ 335.70	\$ 33.57
Viasat Carrier Services, Inc.	0027846104	CA-073-0207091	California	Y	549035	1	3	23	\$ 15,656.30	\$ 1,565.63
Viasat Carrier Services, Inc.	0027846104	CA-073-0207101	California	Y	549035	1	4	12	\$ 8,593.00	\$ 859.30
Viasat Carrier Services, Inc.	0027846104	CA-073-0208013	California	Y	549035	1	5	65	\$ 26,957.10	\$ 2,695.71
Viasat Carrier Services, Inc.	0027846104	CA-073-0209022	California	Y	549035	1	4	10	\$ 6,894.60	\$ 689.46
Viasat Carrier Services, Inc.	0027846104	CA-073-0210001	California	Y	549035	1	45	94	\$ 49,430.30	\$ 4,943.03
Viasat Carrier Services, Inc.	0027846104	CA-073-0211002	California	Y	549035	1	21	51	\$ 60,743.70	\$ 6,074.37
Viasat Carrier Services, Inc.	0027846104	CA-073-0213021	California	Y	549035	1	3	6	\$ 8,783.40	\$ 878.34
Viasat Carrier Services, Inc.	0027846104	CA-073-0213041	California	Y	549035	1	7	17	\$ 7,989.30	\$ 798.93
Viasat Carrier Services, Inc.	0027846104	CA-073-0213042	California	Y	549035	1	1	1	\$ 505.20	\$ 50.52

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Viasat Carrier Services, Inc.	0027846104	CA-073-0214001	California	Y	549035	1	1	8	\$ 612.90	\$ 61.29
Viasat Carrier Services, Inc.	0027846104	CA-073-0219001	California	Y	549035	1	10	42	\$ 3,661.50	\$ 366.15
Viasat Carrier Services, Inc.	0027846104	CA-073-0219002	California	Y	549035	1	1	2	\$ 104.40	\$ 10.44
Viasat Carrier Services, Inc.	0027846104	CA-075-0105001	California	Y	549035	1	1	5	\$ 336.50	\$ 33.65
Viasat Carrier Services, Inc.	0027846104	CA-075-0180002	California	Y	549035	1	2	11	\$ 865.10	\$ 86.51
Viasat Carrier Services, Inc.	0027846104	CA-075-0601001	California	Y	549035	1	5	27	\$ 5,374.10	\$ 537.41
Viasat Carrier Services, Inc.	0027846104	CA-075-9803001	California	Y	549035	1	1	1	\$ 439.20	\$ 43.92
Viasat Carrier Services, Inc.	0027846104	CA-075-9809001	California	Y	549035	1	5	63	\$ 4,505.70	\$ 450.57
Viasat Carrier Services, Inc.	0027846104	CA-077-0041021	California	Y	549035	1	1	13	\$ 5,316.40	\$ 531.64
Viasat Carrier Services, Inc.	0027846104	CA-077-0042041	California	Y	549035	1	1	2	\$ 108.60	\$ 10.86
Viasat Carrier Services, Inc.	0027846104	CA-077-0046002	California	Y	549035	1	2	16	\$ 1,128.90	\$ 112.89
Viasat Carrier Services, Inc.	0027846104	CA-079-0103001	California	Y	549035	1	5	38	\$ 25,172.70	\$ 2,517.27
Viasat Carrier Services, Inc.	0027846104	CA-079-0103004	California	Y	549035	1	15	47	\$ 34,081.40	\$ 3,408.14
Viasat Carrier Services, Inc.	0027846104	CA-079-0106032	California	Y	549035	1	1	4	\$ 1,516.40	\$ 151.64
Viasat Carrier Services, Inc.	0027846104	CA-079-0123023	California	Y	549035	1	15	40	\$ 58,556.90	\$ 5,855.69
Viasat Carrier Services, Inc.	0027846104	CA-079-0123043	California	Y	549035	1	1	8	\$ 745.70	\$ 74.57
Viasat Carrier Services, Inc.	0027846104	CA-079-0127022	California	Y	549035	1	21	81	\$ 50,395.60	\$ 5,039.56
Viasat Carrier Services, Inc.	0027846104	CA-079-0127024	California	Y	549035	1	2	16	\$ 23,422.60	\$ 2,342.26
Viasat Carrier Services, Inc.	0027846104	CA-079-0129001	California	Y	549035	1	9	62	\$ 34,602.40	\$ 3,460.24
Viasat Carrier Services, Inc.	0027846104	CA-081-6030001	California	Y	549035	1	1	32	\$ 3,357.50	\$ 335.75

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Viasat Carrier Services, Inc.	0027846104	CA-081-6054005	California	Y	549035	1	2	7	\$ 1,927.20	\$ 192.72
Viasat Carrier Services, Inc.	0027846104	CA-081-6076001	California	Y	549035	1	1	1	\$ 104.40	\$ 10.44
Viasat Carrier Services, Inc.	0027846104	CA-081-6080044	California	Y	549035	1	3	12	\$ 2,258.70	\$ 225.87
Viasat Carrier Services, Inc.	0027846104	CA-081-6086002	California	Y	549035	1	1	4	\$ 1,106.40	\$ 110.64
Viasat Carrier Services, Inc.	0027846104	CA-081-6091001	California	Y	549035	1	1	18	\$ 1,411.20	\$ 141.12
Viasat Carrier Services, Inc.	0027846104	CA-081-6091002	California	Y	549035	1	3	15	\$ 2,037.40	\$ 203.74
Viasat Carrier Services, Inc.	0027846104	CA-081-6103042	California	Y	549035	1	1	8	\$ 3,684.00	\$ 368.40
Viasat Carrier Services, Inc.	0027846104	CA-081-6117004	California	Y	549035	1	1	9	\$ 2,518.40	\$ 251.84
Viasat Carrier Services, Inc.	0027846104	CA-081-6132001	California	Y	549035	1	1	4	\$ 803.30	\$ 80.33
Viasat Carrier Services, Inc.	0027846104	CA-081-6132004	California	Y	549035	1	3	42	\$ 32,227.70	\$ 3,222.77
Viasat Carrier Services, Inc.	0027846104	CA-081-6133001	California	Y	549035	1	1	1	\$ 228.00	\$ 22.80
Viasat Carrier Services, Inc.	0027846104	CA-081-6133002	California	Y	549035	1	1	11	\$ 2,758.00	\$ 275.80
Viasat Carrier Services, Inc.	0027846104	CA-081-6134002	California	Y	549035	1	4	70	\$ 37,271.90	\$ 3,727.19
Viasat Carrier Services, Inc.	0027846104	CA-081-6134003	California	Y	549035	1	7	33	\$ 29,768.60	\$ 2,976.86
Viasat Carrier Services, Inc.	0027846104	CA-081-6138002	California	Y	549035	1	10	62	\$ 68,308.80	\$ 6,830.88
Viasat Carrier Services, Inc.	0027846104	CA-081-6138003	California	Y	549035	1	4	23	\$ 19,878.80	\$ 1,987.88
Viasat Carrier Services, Inc.	0027846104	CA-081-6138004	California	Y	549035	1	16	116	\$ 157,911.90	\$ 15,791.19
Viasat Carrier Services, Inc.	0027846104	CA-083-0001031	California	Y	549035	1	2	10	\$ 10,480.10	\$ 1,048.01
Viasat Carrier Services, Inc.	0027846104	CA-083-0005012	California	Y	549035	1	2	2	\$ 1,493.80	\$ 149.38
Viasat Carrier Services, Inc.	0027846104	CA-083-0013062	California	Y	549035	1	1	10	\$ 1,008.70	\$ 100.87

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Viasat Carrier Services, Inc.	0027846104	CA-083-0017041	California	Y	549035	1	2	2	\$ 472.60	\$ 47.26
Viasat Carrier Services, Inc.	0027846104	CA-083-0017061	California	Y	549035	1	2	5	\$ 3,372.60	\$ 337.26
Viasat Carrier Services, Inc.	0027846104	CA-083-0017062	California	Y	549035	1	3	21	\$ 5,235.50	\$ 523.55
Viasat Carrier Services, Inc.	0027846104	CA-083-0017065	California	Y	549035	1	2	3	\$ 1,860.40	\$ 186.04
Viasat Carrier Services, Inc.	0027846104	CA-083-0019011	California	Y	549035	1	22	117	\$ 120,434.60	\$ 12,043.46
Viasat Carrier Services, Inc.	0027846104	CA-083-0019031	California	Y	549035	1	2	6	\$ 1,979.80	\$ 197.98
Viasat Carrier Services, Inc.	0027846104	CA-083-0019051	California	Y	549035	1	17	263	\$ 160,245.70	\$ 16,024.57
Viasat Carrier Services, Inc.	0027846104	CA-083-0019064	California	Y	549035	1	19	75	\$ 77,727.60	\$ 7,772.76
Viasat Carrier Services, Inc.	0027846104	CA-083-0020061	California	Y	549035	1	23	63	\$ 75,784.60	\$ 7,578.46
Viasat Carrier Services, Inc.	0027846104	CA-083-0021033	California	Y	549035	1	3	19	\$ 2,265.40	\$ 226.54
Viasat Carrier Services, Inc.	0027846104	CA-083-0024022	California	Y	549035	1	3	24	\$ 9,153.30	\$ 915.33
Viasat Carrier Services, Inc.	0027846104	CA-083-0026041	California	Y	549035	1	1	1	\$ 440.00	\$ 44.00
Viasat Carrier Services, Inc.	0027846104	CA-083-0029073	California	Y	549035	1	3	9	\$ 6,613.20	\$ 661.32
Viasat Carrier Services, Inc.	0027846104	CA-083-0029322	California	Y	549035	1	2	23	\$ 21,574.70	\$ 2,157.47
Viasat Carrier Services, Inc.	0027846104	CA-083-0030012	California	Y	549035	1	1	1	\$ 315.60	\$ 31.56
Viasat Carrier Services, Inc.	0027846104	CA-085-5008002	California	Y	549035	1	1	3	\$ 298.90	\$ 29.89
Viasat Carrier Services, Inc.	0027846104	CA-085-5031151	California	Y	549035	1	2	13	\$ 4,721.10	\$ 472.11
Viasat Carrier Services, Inc.	0027846104	CA-085-5043181	California	Y	549035	1	1	3	\$ 974.40	\$ 97.44
Viasat Carrier Services, Inc.	0027846104	CA-085-5046021	California	Y	549035	1	1	2	\$ 500.20	\$ 50.02
Viasat Carrier Services, Inc.	0027846104	CA-085-5050011	California	Y	549035	1	6	36	\$ 9,116.50	\$ 911.65

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Viasat Carrier Services, Inc.	0027846104	CA-085-5050062	California	Y	549035	1	5	50	\$ 5,603.70	\$ 560.37
Viasat Carrier Services, Inc.	0027846104	CA-085-5050091	California	Y	549035	1	5	20	\$ 4,897.30	\$ 489.73
Viasat Carrier Services, Inc.	0027846104	CA-085-5051002	California	Y	549035	1	1	3	\$ 299.80	\$ 29.98
Viasat Carrier Services, Inc.	0027846104	CA-085-5052023	California	Y	549035	1	7	49	\$ 7,620.20	\$ 762.02
Viasat Carrier Services, Inc.	0027846104	CA-085-5052031	California	Y	549035	1	1	7	\$ 613.70	\$ 61.37
Viasat Carrier Services, Inc.	0027846104	CA-085-5061022	California	Y	549035	1	1	3	\$ 149.50	\$ 14.95
Viasat Carrier Services, Inc.	0027846104	CA-085-5081021	California	Y	549035	1	7	14	\$ 5,300.60	\$ 530.06
Viasat Carrier Services, Inc.	0027846104	CA-085-5087042	California	Y	549035	1	5	37	\$ 3,755.00	\$ 375.50
Viasat Carrier Services, Inc.	0027846104	CA-085-5092023	California	Y	549035	1	1	1	\$ 388.30	\$ 38.83
Viasat Carrier Services, Inc.	0027846104	CA-085-5115001	California	Y	549035	1	1	3	\$ 982.80	\$ 98.28
Viasat Carrier Services, Inc.	0027846104	CA-085-5116081	California	Y	549035	1	3	7	\$ 5,347.30	\$ 534.73
Viasat Carrier Services, Inc.	0027846104	CA-085-5117051	California	Y	549035	1	8	17	\$ 7,266.20	\$ 726.62
Viasat Carrier Services, Inc.	0027846104	CA-085-5118002	California	Y	549035	1	2	14	\$ 3,329.10	\$ 332.91
Viasat Carrier Services, Inc.	0027846104	CA-085-5119092	California	Y	549035	1	1	5	\$ 7,319.60	\$ 731.96
Viasat Carrier Services, Inc.	0027846104	CA-085-5120011	California	Y	549035	1	4	56	\$ 18,036.80	\$ 1,803.68
Viasat Carrier Services, Inc.	0027846104	CA-085-5123083	California	Y	549035	1	1	1	\$ 66.80	\$ 6.68
Viasat Carrier Services, Inc.	0027846104	CA-087-1009002	California	Y	549035	1	1	1	\$ 65.10	\$ 6.51
Viasat Carrier Services, Inc.	0027846104	CA-087-1202001	California	Y	549035	1	13	29	\$ 42,453.90	\$ 4,245.39
Viasat Carrier Services, Inc.	0027846104	CA-087-1206001	California	Y	549035	1	1	1	\$ 501.00	\$ 50.10
Viasat Carrier Services, Inc.	0027846104	CA-087-1209001	California	Y	549035	1	3	5	\$ 1,258.30	\$ 125.83

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Viasat Carrier Services, Inc.	0027846104	CA-087-1214012	California	Y	549035	1	1	1	\$ 299.80	\$ 29.98
Viasat Carrier Services, Inc.	0027846104	CA-087-1224001	California	Y	549035	1	3	14	\$ 6,129.70	\$ 612.97
Viasat Carrier Services, Inc.	0027846104	CA-089-0106032	California	Y	549035	1	2	8	\$ 2,417.30	\$ 241.73
Viasat Carrier Services, Inc.	0027846104	CA-089-0108072	California	Y	549035	1	1	4	\$ 2,592.70	\$ 259.27
Viasat Carrier Services, Inc.	0027846104	CA-089-0110012	California	Y	549035	1	10	72	\$ 27,972.50	\$ 2,797.25
Viasat Carrier Services, Inc.	0027846104	CA-089-0118011	California	Y	549035	1	4	27	\$ 1,593.20	\$ 159.32
Viasat Carrier Services, Inc.	0027846104	CA-089-0119002	California	Y	549035	1	3	29	\$ 1,596.50	\$ 159.65
Viasat Carrier Services, Inc.	0027846104	CA-089-0119004	California	Y	549035	1	1	3	\$ 252.20	\$ 25.22
Viasat Carrier Services, Inc.	0027846104	CA-089-0124001	California	Y	549035	1	35	136	\$ 69,371.00	\$ 6,937.10
Viasat Carrier Services, Inc.	0027846104	CA-089-0126032	California	Y	549035	1	1	4	\$ 321.50	\$ 32.15
Viasat Carrier Services, Inc.	0027846104	CA-093-0007022	California	Y	549035	1	18	82	\$ 28,248.10	\$ 2,824.81
Viasat Carrier Services, Inc.	0027846104	CA-093-0007033	California	Y	549035	1	5	7	\$ 2,915.80	\$ 291.58
Viasat Carrier Services, Inc.	0027846104	CA-093-0009001	California	Y	549035	1	1	5	\$ 242.20	\$ 24.22
Viasat Carrier Services, Inc.	0027846104	CA-097-1502021	California	Y	549035	1	1	14	\$ 3,741.60	\$ 374.16
Viasat Carrier Services, Inc.	0027846104	CA-097-1503032	California	Y	549035	1	2	5	\$ 4,735.30	\$ 473.53
Viasat Carrier Services, Inc.	0027846104	CA-097-1505003	California	Y	549035	1	5	57	\$ 33,685.60	\$ 3,368.56
Viasat Carrier Services, Inc.	0027846104	CA-097-1506034	California	Y	549035	1	1	19	\$ 1,502.20	\$ 150.22
Viasat Carrier Services, Inc.	0027846104	CA-097-1506073	California	Y	549035	1	1	10	\$ 3,452.70	\$ 345.27
Viasat Carrier Services, Inc.	0027846104	CA-097-1506122	California	Y	549035	1	11	110	\$ 63,093.40	\$ 6,309.34
Viasat Carrier Services, Inc.	0027846104	CA-097-1507011	California	Y	549035	1	2	9	\$ 4,336.20	\$ 433.62

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Viasat Carrier Services, Inc.	0027846104	CA-097-1511003	California	Y	549035	1	1	15	\$ 16,312.60	\$ 1,631.26
Viasat Carrier Services, Inc.	0027846104	CA-097-1512012	California	Y	549035	1	1	8	\$ 3,781.70	\$ 378.17
Viasat Carrier Services, Inc.	0027846104	CA-097-1512014	California	Y	549035	1	2	18	\$ 1,324.30	\$ 132.43
Viasat Carrier Services, Inc.	0027846104	CA-097-1513091	California	Y	549035	1	1	12	\$ 8,874.40	\$ 887.44
Viasat Carrier Services, Inc.	0027846104	CA-097-1521001	California	Y	549035	1	3	6	\$ 1,431.20	\$ 143.12
Viasat Carrier Services, Inc.	0027846104	CA-097-1526001	California	Y	549035	1	3	12	\$ 4,538.20	\$ 453.82
Viasat Carrier Services, Inc.	0027846104	CA-097-1527011	California	Y	549035	1	6	26	\$ 8,437.70	\$ 843.77
Viasat Carrier Services, Inc.	0027846104	CA-097-1529061	California	Y	549035	1	1	8	\$ 662.20	\$ 66.22
Viasat Carrier Services, Inc.	0027846104	CA-097-1531041	California	Y	549035	1	1	18	\$ 888.40	\$ 88.84
Viasat Carrier Services, Inc.	0027846104	CA-097-1535024	California	Y	549035	1	6	48	\$ 35,428.20	\$ 3,542.82
Viasat Carrier Services, Inc.	0027846104	CA-097-1537044	California	Y	549035	1	1	2	\$ 881.80	\$ 88.18
Viasat Carrier Services, Inc.	0027846104	CA-097-1537051	California	Y	549035	1	7	20	\$ 16,332.60	\$ 1,633.26
Viasat Carrier Services, Inc.	0027846104	CA-097-1537062	California	Y	549035	1	1	1	\$ 41.80	\$ 4.18
Viasat Carrier Services, Inc.	0027846104	CA-097-1538011	California	Y	549035	1	8	19	\$ 7,949.20	\$ 794.92
Viasat Carrier Services, Inc.	0027846104	CA-097-1538091	California	Y	549035	1	1	2	\$ 276.40	\$ 27.64
Viasat Carrier Services, Inc.	0027846104	CA-097-1540001	California	Y	549035	1	30	76	\$ 59,300.90	\$ 5,930.09
Viasat Carrier Services, Inc.	0027846104	CA-097-1540003	California	Y	549035	1	13	36	\$ 25,411.60	\$ 2,541.16
Viasat Carrier Services, Inc.	0027846104	CA-097-1541001	California	Y	549035	1	16	128	\$ 54,388.60	\$ 5,438.86
Viasat Carrier Services, Inc.	0027846104	CA-097-1541002	California	Y	549035	1	35	192	\$ 57,630.90	\$ 5,763.09
Viasat Carrier Services, Inc.	0027846104	CA-097-1541003	California	Y	549035	1	35	98	\$ 81,662.20	\$ 8,166.22

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Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	CA-097-1541004	California	Y	549035	1	26	126	\$ 67,649.20	\$ 6,764.92
Viasat Carrier Services, Inc.	0027846104	CA-097-1542021	California	Y	549035	1	1	1	\$ 354.00	\$ 35.40
Viasat Carrier Services, Inc.	0027846104	CA-097-1543024	California	Y	549035	1	5	19	\$ 14,731.10	\$ 1,473.11
Viasat Carrier Services, Inc.	0027846104	CA-097-1543041	California	Y	549035	1	43	133	\$ 175,834.30	\$ 17,583.43
Viasat Carrier Services, Inc.	0027846104	CA-097-1543042	California	Y	549035	1	8	31	\$ 45,381.40	\$ 4,538.14
Viasat Carrier Services, Inc.	0027846104	CA-097-1543043	California	Y	549035	1	6	13	\$ 7,587.60	\$ 758.76
Viasat Carrier Services, Inc.	0027846104	CA-101-0502024	California	Y	549035	1	1	4	\$ 225.50	\$ 22.55
Viasat Carrier Services, Inc.	0027846104	CA-105-0001012	California	Y	549035	1	25	150	\$ 112,219.00	\$ 11,221.90
Viasat Carrier Services, Inc.	0027846104	CA-105-0001013	California	Y	549035	1	6	18	\$ 26,350.90	\$ 2,635.09
Viasat Carrier Services, Inc.	0027846104	CA-105-0002001	California	Y	549035	1	39	99	\$ 144,928.40	\$ 14,492.84
Viasat Carrier Services, Inc.	0027846104	CA-107-0044004	California	Y	549035	1	2	3	\$ 4,392.10	\$ 439.21
Viasat Carrier Services, Inc.	0027846104	CA-111-0010011	California	Y	549035	1	1	3	\$ 2,469.10	\$ 246.91
Viasat Carrier Services, Inc.	0027846104	CA-111-0053051	California	Y	549035	1	2	5	\$ 3,853.50	\$ 385.35
Viasat Carrier Services, Inc.	0027846104	Package_1 CA	California	Y	549035	683	3,128	10,859	\$ 9,120,793.50	\$ 912,079.35
Viasat Carrier Services, Inc.	0027846104	CO-013-0127053	Colorado	Y	469036	1	2	6	\$ 1,081.30	\$ 108.13
Viasat Carrier Services, Inc.	0027846104	CO-013-0136022	Colorado	Y	469036	1	3	49	\$ 29,253.40	\$ 2,925.34
Viasat Carrier Services, Inc.	0027846104	CO-013-0137014	Colorado	Y	469036	1	9	98	\$ 91,236.30	\$ 9,123.63
Viasat Carrier Services, Inc.	0027846104	CO-013-0137022	Colorado	Y	469036	1	2	15	\$ 9,178.30	\$ 917.83
Viasat Carrier Services, Inc.	0027846104	CO-015-0004012	Colorado	Y	469036	1	1	1	\$ 583.70	\$ 58.37
Viasat Carrier Services, Inc.	0027846104	CO-031-0014031	Colorado	Y	469036	1	1	3	\$ 147.00	\$ 14.70

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Viasat Carrier Services, Inc.	0027846104	CO-043-9781001	Colorado	Y	469036	1	13	102	\$ 68,095.10	\$ 6,809.51
Viasat Carrier Services, Inc.	0027846104	CO-043-9785002	Colorado	Y	469036	1	2	10	\$ 4,774.50	\$ 477.45
Viasat Carrier Services, Inc.	0027846104	CO-049-0002024	Colorado	Y	469036	1	3	5	\$ 3,296.60	\$ 329.66
Viasat Carrier Services, Inc.	0027846104	CO-059-0111002	Colorado	Y	469036	1	1	8	\$ 465.10	\$ 46.51
Viasat Carrier Services, Inc.	0027846104	CO-067-9707011	Colorado	Y	469036	1	2	63	\$ 4,609.20	\$ 460.92
Viasat Carrier Services, Inc.	0027846104	CO-067-9709002	Colorado	Y	469036	1	1	2	\$ 159.50	\$ 15.95
Viasat Carrier Services, Inc.	0027846104	CO-069-0019031	Colorado	Y	469036	1	4	38	\$ 28,860.10	\$ 2,886.01
Viasat Carrier Services, Inc.	0027846104	CO-069-0024012	Colorado	Y	469036	1	5	11	\$ 8,383.40	\$ 838.34
Viasat Carrier Services, Inc.	0027846104	CO-069-0028031	Colorado	Y	469036	1	4	11	\$ 6,033.70	\$ 603.37
Viasat Carrier Services, Inc.	0027846104	CO-083-9694001	Colorado	Y	469036	1	2	6	\$ 358.20	\$ 35.82
Viasat Carrier Services, Inc.	0027846104	CO-107-0004002	Colorado	Y	469036	1	1	2	\$ 105.20	\$ 10.52
Viasat Carrier Services, Inc.	0027846104	CO-117-0001001	Colorado	Y	469036	1	11	172	\$ 153,496.40	\$ 15,349.64
Viasat Carrier Services, Inc.	0027846104	CO-117-0001003	Colorado	Y	469036	1	2	5	\$ 403.30	\$ 40.33
Viasat Carrier Services, Inc.	0027846104	CO-119-0101051	Colorado	Y	469036	1	22	138	\$ 118,831.40	\$ 11,883.14
Viasat Carrier Services, Inc.	0027846104	Package_1 CO	Colorado	Y	469036	136	1,545	5,772	\$ 6,701,829.40	\$ 670,182.94
Viasat Carrier Services, Inc.	0027846104	Package_2 FL	Florida	Y	219023	685	2,122	9,859	\$ 5,032,841.40	\$ 503,284.14
Viasat Carrier Services, Inc.	0027846104	Package_2 GA	Georgia	Y	229032	813	2,824	13,815	\$ 6,264,361.60	\$ 626,436.16
Viasat Carrier Services, Inc.	0027846104	Package_1 ID	Idaho	Y	479026	127	1,392	3,607	\$ 4,402,039.90	\$ 440,203.99
Viasat Carrier Services, Inc.	0027846104	Package_2 KY	Kentucky	Y	269054	393	722	4,169	\$ 1,673,144.50	\$ 167,314.45
Viasat Carrier Services, Inc.	0027846104	Package_2 LA	Louisiana	Y	279055	462	1,300	4,427	\$ 2,873,229.70	\$ 287,322.97

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Viasat Carrier Services, Inc.	0027846104	ME-009-9658001	Maine	Y	109021	1	1	10	\$ 4,515.70	\$ 451.57
Viasat Carrier Services, Inc.	0027846104	ME-009-9666001	Maine	Y	109021	1	1	2	\$ 505.20	\$ 50.52
Viasat Carrier Services, Inc.	0027846104	ME-009-9666002	Maine	Y	109021	1	6	63	\$ 23,992.90	\$ 2,399.29
Viasat Carrier Services, Inc.	0027846104	ME-009-9667004	Maine	Y	109021	1	1	3	\$ 1,501.30	\$ 150.13
Viasat Carrier Services, Inc.	0027846104	ME-011-0106001	Maine	Y	109021	1	1	2	\$ 329.80	\$ 32.98
Viasat Carrier Services, Inc.	0027846104	ME-011-0200003	Maine	Y	109021	1	1	1	\$ 467.60	\$ 46.76
Viasat Carrier Services, Inc.	0027846104	ME-013-9711004	Maine	Y	109021	1	2	30	\$ 12,290.40	\$ 1,229.04
Viasat Carrier Services, Inc.	0027846104	ME-015-9751001	Maine	Y	109021	1	8	34	\$ 15,283.00	\$ 1,528.30
Viasat Carrier Services, Inc.	0027846104	ME-015-9752001	Maine	Y	109021	1	2	4	\$ 1,837.80	\$ 183.78
Viasat Carrier Services, Inc.	0027846104	ME-015-9755005	Maine	Y	109021	1	5	10	\$ 3,005.20	\$ 300.52
Viasat Carrier Services, Inc.	0027846104	ME-017-9659003	Maine	Y	109021	1	1	2	\$ 243.00	\$ 24.30
Viasat Carrier Services, Inc.	0027846104	ME-019-0205002	Maine	Y	109021	1	1	2	\$ 785.70	\$ 78.57
Viasat Carrier Services, Inc.	0027846104	ME-019-0245001	Maine	Y	109021	1	1	18	\$ 6,773.50	\$ 677.35
Viasat Carrier Services, Inc.	0027846104	ME-027-0420003	Maine	Y	109021	1	2	2	\$ 713.10	\$ 71.31
Viasat Carrier Services, Inc.	0027846104	ME-029-9555003	Maine	Y	109021	1	3	4	\$ 5,855.90	\$ 585.59
Viasat Carrier Services, Inc.	0027846104	ME-029-9564001	Maine	Y	109021	1	6	14	\$ 8,345.80	\$ 834.58
Viasat Carrier Services, Inc.	0027846104	ME-031-0235001	Maine	Y	109021	1	12	25	\$ 10,213.70	\$ 1,021.37
Viasat Carrier Services, Inc.	0027846104	ME-031-0301003	Maine	Y	109021	1	2	6	\$ 359.10	\$ 35.91
Viasat Carrier Services, Inc.	0027846104	Package_1 ME	Maine	Y	109021	132	979	3,795	\$ 4,581,069.20	\$ 458,106.92
Viasat Carrier Services, Inc.	0027846104	Package_2 ME	Maine	Y	109021	11	23	71	\$ 35,898.40	\$ 3,589.84

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Viasat Carrier Services, Inc.	0027846104	Package_1 MT	Montana	Y	489017	161	1,600	5,342	\$ 5,180,535.70	\$ 518,053.57
Viasat Carrier Services, Inc.	0027846104	NM-005-0008002	New Mexico	Y	499022	1	1	1	\$ 45.10	\$ 4.51
Viasat Carrier Services, Inc.	0027846104	NM-039-9407003	New Mexico	Y	499022	1	1	2	\$ 73.50	\$ 7.35
Viasat Carrier Services, Inc.	0027846104	NM-039-9441003	New Mexico	Y	499022	1	4	15	\$ 597.00	\$ 59.70
Viasat Carrier Services, Inc.	0027846104	NM-055-9401004	New Mexico	Y	499022	1	1	1	\$ 46.80	\$ 4.68
Viasat Carrier Services, Inc.	0027846104	Package_1 NM	New Mexico	Y	499022	188	1,312	3,249	\$ 3,131,904.80	\$ 313,190.48
Viasat Carrier Services, Inc.	0027846104	Package_1 UT	Utah	Y	509022	65	689	2,995	\$ 3,119,687.30	\$ 311,968.73
Viasat Carrier Services, Inc.	0027846104	Package_1 WA	Washington	Y	529028	312	2,293	9,827	\$ 6,442,217.70	\$ 644,221.77
Viasat Carrier Services, Inc.	0027846104	WA-005-0115041	Washington	Y	529028	1	3	18	\$ 1,389.40	\$ 138.94
Viasat Carrier Services, Inc.	0027846104	WA-009-0006002	Washington	Y	529028	1	2	5	\$ 3,742.50	\$ 374.25
Viasat Carrier Services, Inc.	0027846104	WA-009-0006003	Washington	Y	529028	1	3	7	\$ 7,297.10	\$ 729.71
Viasat Carrier Services, Inc.	0027846104	WA-009-0018002	Washington	Y	529028	1	1	4	\$ 1,318.50	\$ 131.85
Viasat Carrier Services, Inc.	0027846104	WA-009-0020002	Washington	Y	529028	1	1	2	\$ 88.50	\$ 8.85
Viasat Carrier Services, Inc.	0027846104	WA-011-0401012	Washington	Y	529028	1	3	15	\$ 5,503.50	\$ 550.35
Viasat Carrier Services, Inc.	0027846104	WA-011-0413253	Washington	Y	529028	1	1	1	\$ 528.60	\$ 52.86
Viasat Carrier Services, Inc.	0027846104	WA-015-0003001	Washington	Y	529028	1	1	8	\$ 3,231.50	\$ 323.15
Viasat Carrier Services, Inc.	0027846104	WA-015-0018002	Washington	Y	529028	1	9	23	\$ 21,075.40	\$ 2,107.54
Viasat Carrier Services, Inc.	0027846104	WA-015-0019002	Washington	Y	529028	1	4	6	\$ 4,459.70	\$ 445.97
Viasat Carrier Services, Inc.	0027846104	WA-015-0020011	Washington	Y	529028	1	2	3	\$ 2,142.60	\$ 214.26
Viasat Carrier Services, Inc.	0027846104	WA-015-0020021	Washington	Y	529028	1	1	1	\$ 559.50	\$ 55.95

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Viasat Carrier Services, Inc.	0027846104	WA-027-0002005	Washington	Y	529028	1	4	12	\$ 17,566.70	\$ 1,756.67
Viasat Carrier Services, Inc.	0027846104	WA-027-0003001	Washington	Y	529028	1	7	15	\$ 12,004.80	\$ 1,200.48
Viasat Carrier Services, Inc.	0027846104	WA-027-0003002	Washington	Y	529028	1	9	26	\$ 20,459.20	\$ 2,045.92
Viasat Carrier Services, Inc.	0027846104	WA-027-0004005	Washington	Y	529028	1	24	57	\$ 65,201.80	\$ 6,520.18
Viasat Carrier Services, Inc.	0027846104	WA-027-0007002	Washington	Y	529028	1	8	21	\$ 12,224.40	\$ 1,222.44
Viasat Carrier Services, Inc.	0027846104	WA-027-0007003	Washington	Y	529028	1	8	27	\$ 9,808.70	\$ 980.87
Viasat Carrier Services, Inc.	0027846104	WA-027-0013004	Washington	Y	529028	1	1	2	\$ 1,075.50	\$ 107.55
Viasat Carrier Services, Inc.	0027846104	WA-027-0016002	Washington	Y	529028	1	2	7	\$ 3,347.50	\$ 334.75
Viasat Carrier Services, Inc.	0027846104	WA-027-0016004	Washington	Y	529028	1	1	1	\$ 135.30	\$ 13.53
Viasat Carrier Services, Inc.	0027846104	WA-031-9503002	Washington	Y	529028	1	1	18	\$ 13,195.50	\$ 1,319.55
Viasat Carrier Services, Inc.	0027846104	WA-031-9507022	Washington	Y	529028	1	16	161	\$ 89,059.40	\$ 8,905.94
Viasat Carrier Services, Inc.	0027846104	WA-033-0057001	Washington	Y	529028	1	1	5	\$ 673.80	\$ 67.38
Viasat Carrier Services, Inc.	0027846104	WA-033-0058023	Washington	Y	529028	1	1	3	\$ 949.40	\$ 94.94
Viasat Carrier Services, Inc.	0027846104	WA-033-0094002	Washington	Y	529028	1	1	1	\$ 87.70	\$ 8.77
Viasat Carrier Services, Inc.	0027846104	WA-033-0215003	Washington	Y	529028	1	1	6	\$ 356.50	\$ 35.65
Viasat Carrier Services, Inc.	0027846104	WA-033-0262001	Washington	Y	529028	1	1	2	\$ 404.10	\$ 40.41
Viasat Carrier Services, Inc.	0027846104	WA-033-0305011	Washington	Y	529028	1	2	8	\$ 3,795.90	\$ 379.59
Viasat Carrier Services, Inc.	0027846104	WA-033-0315023	Washington	Y	529028	1	4	6	\$ 3,317.50	\$ 331.75
Viasat Carrier Services, Inc.	0027846104	WA-033-0316032	Washington	Y	529028	1	2	8	\$ 5,435.00	\$ 543.50
Viasat Carrier Services, Inc.	0027846104	WA-033-0318003	Washington	Y	529028	1	1	1	\$ 258.00	\$ 25.80

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Viasat Carrier Services, Inc.	0027846104	WA-033-0319042	Washington	Y	529028	1	1	3	\$ 121.10	\$ 12.11
Viasat Carrier Services, Inc.	0027846104	WA-033-0319074	Washington	Y	529028	1	1	1	\$ 226.30	\$ 22.63
Viasat Carrier Services, Inc.	0027846104	WA-033-0322123	Washington	Y	529028	1	1	1	\$ 234.60	\$ 23.46
Viasat Carrier Services, Inc.	0027846104	WA-033-0323073	Washington	Y	529028	1	1	1	\$ 50.90	\$ 5.09
Viasat Carrier Services, Inc.	0027846104	WA-033-0323075	Washington	Y	529028	1	1	1	\$ 178.70	\$ 17.87
Viasat Carrier Services, Inc.	0027846104	WA-033-0323262	Washington	Y	529028	1	1	1	\$ 395.80	\$ 39.58
Viasat Carrier Services, Inc.	0027846104	WA-033-0325003	Washington	Y	529028	1	1	3	\$ 467.60	\$ 46.76
Viasat Carrier Services, Inc.	0027846104	WA-035-0911001	Washington	Y	529028	1	1	4	\$ 391.60	\$ 39.16
Viasat Carrier Services, Inc.	0027846104	WA-039-9502002	Washington	Y	529028	1	12	120	\$ 65,218.50	\$ 6,521.85
Viasat Carrier Services, Inc.	0027846104	WA-039-9502004	Washington	Y	529028	1	4	41	\$ 27,924.90	\$ 2,792.49
Viasat Carrier Services, Inc.	0027846104	WA-041-9703001	Washington	Y	529028	1	1	1	\$ 764.00	\$ 76.40
Viasat Carrier Services, Inc.	0027846104	WA-041-9707004	Washington	Y	529028	1	3	6	\$ 3,100.40	\$ 310.04
Viasat Carrier Services, Inc.	0027846104	WA-041-9718003	Washington	Y	529028	1	2	4	\$ 5,855.90	\$ 585.59
Viasat Carrier Services, Inc.	0027846104	WA-041-9719003	Washington	Y	529028	1	3	29	\$ 14,917.30	\$ 1,491.73
Viasat Carrier Services, Inc.	0027846104	WA-045-9606001	Washington	Y	529028	1	1	1	\$ 704.70	\$ 70.47
Viasat Carrier Services, Inc.	0027846104	WA-045-9606003	Washington	Y	529028	1	1	4	\$ 1,396.10	\$ 139.61
Viasat Carrier Services, Inc.	0027846104	WA-049-9504001	Washington	Y	529028	1	15	35	\$ 32,168.40	\$ 3,216.84
Viasat Carrier Services, Inc.	0027846104	WA-049-9504003	Washington	Y	529028	1	1	5	\$ 6,344.30	\$ 634.43
Viasat Carrier Services, Inc.	0027846104	WA-053-0701003	Washington	Y	529028	1	1	4	\$ 5,855.90	\$ 585.59
Viasat Carrier Services, Inc.	0027846104	WA-053-0702071	Washington	Y	529028	1	1	2	\$ 812.50	\$ 81.25

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Viasat Carrier Services, Inc.	0027846104	WA-053-9400022	Washington	Y	529028	1	3	11	\$ 5,111.90	\$ 511.19
Viasat Carrier Services, Inc.	0027846104	WA-053-9400101	Washington	Y	529028	1	1	5	\$ 273.90	\$ 27.39
Viasat Carrier Services, Inc.	0027846104	WA-055-9603004	Washington	Y	529028	1	8	145	\$ 49,750.10	\$ 4,975.01
Viasat Carrier Services, Inc.	0027846104	WA-055-9605002	Washington	Y	529028	1	3	3	\$ 1,335.20	\$ 133.52
Viasat Carrier Services, Inc.	0027846104	WA-057-9403001	Washington	Y	529028	1	4	5	\$ 4,487.30	\$ 448.73
Viasat Carrier Services, Inc.	0027846104	WA-057-9408002	Washington	Y	529028	1	2	2	\$ 766.50	\$ 76.65
Viasat Carrier Services, Inc.	0027846104	WA-057-9501001	Washington	Y	529028	1	2	32	\$ 15,555.20	\$ 1,555.52
Viasat Carrier Services, Inc.	0027846104	WA-057-9513002	Washington	Y	529028	1	2	4	\$ 1,975.60	\$ 197.56
Viasat Carrier Services, Inc.	0027846104	WA-057-9516003	Washington	Y	529028	1	2	3	\$ 555.30	\$ 55.53
Viasat Carrier Services, Inc.	0027846104	WA-059-9504002	Washington	Y	529028	1	4	6	\$ 7,953.40	\$ 795.34
Viasat Carrier Services, Inc.	0027846104	WA-061-0401001	Washington	Y	529028	1	1	2	\$ 379.10	\$ 37.91
Viasat Carrier Services, Inc.	0027846104	WA-061-0419052	Washington	Y	529028	1	1	1	\$ 611.20	\$ 61.12
Viasat Carrier Services, Inc.	0027846104	WA-061-0521051	Washington	Y	529028	1	1	3	\$ 905.10	\$ 90.51
Viasat Carrier Services, Inc.	0027846104	WA-061-0525023	Washington	Y	529028	1	2	3	\$ 776.60	\$ 77.66
Viasat Carrier Services, Inc.	0027846104	WA-061-0532022	Washington	Y	529028	1	1	3	\$ 621.20	\$ 62.12
Viasat Carrier Services, Inc.	0027846104	WA-061-0538034	Washington	Y	529028	1	3	5	\$ 5,534.40	\$ 553.44
Viasat Carrier Services, Inc.	0027846104	WA-063-0025003	Washington	Y	529028	1	1	1	\$ 40.10	\$ 4.01
Viasat Carrier Services, Inc.	0027846104	WA-063-0104012	Washington	Y	529028	1	2	4	\$ 283.90	\$ 28.39
Viasat Carrier Services, Inc.	0027846104	WA-063-0112024	Washington	Y	529028	1	6	86	\$ 4,189.20	\$ 418.92
Viasat Carrier Services, Inc.	0027846104	WA-063-0122001	Washington	Y	529028	1	3	7	\$ 428.40	\$ 42.84

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Viasat Carrier Services, Inc.	0027846104	WA-063-0123002	Washington	Y	529028	1	1	2	\$ 156.10	\$ 15.61
Viasat Carrier Services, Inc.	0027846104	WA-063-0145001	Washington	Y	529028	1	1	1	\$ 85.20	\$ 8.52
Viasat Carrier Services, Inc.	0027846104	WA-065-9507003	Washington	Y	529028	1	2	17	\$ 1,189.00	\$ 118.90
Viasat Carrier Services, Inc.	0027846104	WA-067-0109201	Washington	Y	529028	1	1	1	\$ 199.60	\$ 19.96
Viasat Carrier Services, Inc.	0027846104	WA-067-0125202	Washington	Y	529028	1	2	5	\$ 2,920.80	\$ 292.08
Viasat Carrier Services, Inc.	0027846104	WA-067-0127201	Washington	Y	529028	1	1	1	\$ 615.40	\$ 61.54
Viasat Carrier Services, Inc.	0027846104	WA-071-9202002	Washington	Y	529028	1	3	24	\$ 2,002.30	\$ 200.23
Viasat Carrier Services, Inc.	0027846104	WA-073-9400002	Washington	Y	529028	1	1	4	\$ 1,589.00	\$ 158.90
Viasat Carrier Services, Inc.	0027846104	WA-077-0009021	Washington	Y	529028	1	1	1	\$ 46.80	\$ 4.68
Viasat Carrier Services, Inc.	0027846104	WA-077-0029005	Washington	Y	529028	1	2	5	\$ 202.10	\$ 20.21
Viasat Carrier Services, Inc.	0027846104	WA-077-9400015	Washington	Y	529028	1	3	16	\$ 1,283.40	\$ 128.34
Viasat Carrier Services, Inc.	0027846104	Package_1 WV	West Virginia	Y	209037	326	1,410	5,988	\$ 5,003,509.30	\$ 500,350.93
Viasat Carrier Services, Inc.	0027846104	WV-005-9583001	West Virginia	Y	209037	1	1	2	\$ 692.20	\$ 69.22
Viasat Carrier Services, Inc.	0027846104	WV-017-9651001	West Virginia	Y	209037	1	1	5	\$ 4,353.70	\$ 435.37
Viasat Carrier Services, Inc.	0027846104	WV-017-9651003	West Virginia	Y	209037	1	1	8	\$ 875.90	\$ 87.59
Viasat Carrier Services, Inc.	0027846104	WV-035-9632003	West Virginia	Y	209037	1	1	66	\$ 26,274.90	\$ 2,627.49
Viasat Carrier Services, Inc.	0027846104	WV-035-9634001	West Virginia	Y	209037	1	9	26	\$ 6,801.90	\$ 680.19
Viasat Carrier Services, Inc.	0027846104	WV-035-9634002	West Virginia	Y	209037	1	10	37	\$ 12,183.50	\$ 1,218.35
Viasat Carrier Services, Inc.	0027846104	WV-035-9634003	West Virginia	Y	209037	1	16	56	\$ 20,176.90	\$ 2,017.69
Viasat Carrier Services, Inc.	0027846104	WV-035-9637006	West Virginia	Y	209037	1	2	2	\$ 2,927.50	\$ 292.75

Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	WV-039-0108012	West Virginia	Y	209037	1	1	2	\$ 270.50	\$ 27.05
Viasat Carrier Services, Inc.	0027846104	WV-039-0108021	West Virginia	Y	209037	1	4	42	\$ 15,850.80	\$ 1,585.08
Viasat Carrier Services, Inc.	0027846104	WV-043-9555004	West Virginia	Y	209037	1	3	8	\$ 4,623.40	\$ 462.34
Viasat Carrier Services, Inc.	0027846104	WV-043-9556004	West Virginia	Y	209037	1	3	11	\$ 3,108.70	\$ 310.87
Viasat Carrier Services, Inc.	0027846104	WV-043-9557002	West Virginia	Y	209037	1	9	31	\$ 7,436.50	\$ 743.65
Viasat Carrier Services, Inc.	0027846104	WV-047-9536001	West Virginia	Y	209037	1	2	4	\$ 1,236.60	\$ 123.66
Viasat Carrier Services, Inc.	0027846104	WV-051-0208001	West Virginia	Y	209037	1	16	160	\$ 52,258.50	\$ 5,225.85
Viasat Carrier Services, Inc.	0027846104	WV-051-0209004	West Virginia	Y	209037	1	10	38	\$ 16,524.70	\$ 1,652.47
Viasat Carrier Services, Inc.	0027846104	WV-055-0009003	West Virginia	Y	209037	1	5	66	\$ 23,840.90	\$ 2,384.09
Viasat Carrier Services, Inc.	0027846104	WV-055-0022002	West Virginia	Y	209037	1	1	1	\$ 49.30	\$ 4.93
Viasat Carrier Services, Inc.	0027846104	WV-065-9709001	West Virginia	Y	209037	1	2	44	\$ 14,924.80	\$ 1,492.48
Viasat Carrier Services, Inc.	0027846104	WV-069-0002003	West Virginia	Y	209037	1	1	7	\$ 1,668.30	\$ 166.83
Viasat Carrier Services, Inc.	0027846104	WV-073-9621001	West Virginia	Y	209037	1	6	24	\$ 8,140.40	\$ 814.04
Viasat Carrier Services, Inc.	0027846104	WV-077-9643003	West Virginia	Y	209037	1	4	14	\$ 4,488.10	\$ 448.81
Viasat Carrier Services, Inc.	0027846104	WV-077-9644003	West Virginia	Y	209037	1	11	80	\$ 50,106.70	\$ 5,010.67
Viasat Carrier Services, Inc.	0027846104	WV-079-0203001	West Virginia	Y	209037	1	1	5	\$ 1,832.00	\$ 183.20
Viasat Carrier Services, Inc.	0027846104	WV-081-0008021	West Virginia	Y	209037	1	4	62	\$ 26,547.20	\$ 2,654.72
Viasat Carrier Services, Inc.	0027846104	WV-081-0012004	West Virginia	Y	209037	1	6	28	\$ 16,682.50	\$ 1,668.25
Viasat Carrier Services, Inc.	0027846104	WV-081-0013002	West Virginia	Y	209037	1	2	2	\$ 646.30	\$ 64.63
Viasat Carrier Services, Inc.	0027846104	WV-085-9623003	West Virginia	Y	209037	1	11	40	\$ 13,289.90	\$ 1,328.99

Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	WV-085-9625001	West Virginia	Y	209037	1	3	10	\$ 3,434.40	\$ 343.44
Viasat Carrier Services, Inc.	0027846104	WV-089-0008003	West Virginia	Y	209037	1	5	42	\$ 17,283.70	\$ 1,728.37
Viasat Carrier Services, Inc.	0027846104	WV-095-9618002	West Virginia	Y	209037	1	7	27	\$ 10,313.10	\$ 1,031.31
Viasat Carrier Services, Inc.	0027846104	WV-099-0204002	West Virginia	Y	209037	1	3	3	\$ 512.70	\$ 51.27
Viasat Carrier Services, Inc.	0027846104	WV-099-0209001	West Virginia	Y	209037	1	5	29	\$ 28,995.40	\$ 2,899.54
Viasat Carrier Services, Inc.	0027846104	WV-107-0106011	West Virginia	Y	209037	1	4	4	\$ 1,433.70	\$ 143.37
Viasat Carrier Services, Inc.	0027846104	WV-107-0107014	West Virginia	Y	209037	1	10	70	\$ 27,688.60	\$ 2,768.86
Viasat Carrier Services, Inc.	0027846104	WV-107-0109023	West Virginia	Y	209037	1	3	13	\$ 1,072.10	\$ 107.21
Viasat Carrier Services, Inc.	0027846104	Package_2 WI	Wisconsin	Y	339062	309	1,444	7,565	\$ 3,963,228.40	\$ 396,322.84
Viasat Carrier Services, Inc.	0027846104	Package_1 WY	Wyoming	Y	519022	48	1,930	8,179	\$ 8,450,312.10	\$ 845,031.21
Viasat Carrier Services, Inc.	0027846104	WY-005-0002003	Wyoming	Y	519022	1	8	54	\$ 29,260.10	\$ 2,926.01
Viasat Carrier Services, Inc.	0027846104	WY-005-0006001	Wyoming	Y	519022	1	1	2	\$ 1,039.60	\$ 103.96
Viasat Carrier Services, Inc.	0027846104	WY-009-9564002	Wyoming	Y	519022	1	4	5	\$ 2,400.60	\$ 240.06
Viasat Carrier Services, Inc.	0027846104	WY-009-9567002	Wyoming	Y	519022	1	5	8	\$ 3,936.20	\$ 393.62
Viasat Carrier Services, Inc.	0027846104	WY-013-0003003	Wyoming	Y	519022	1	29	149	\$ 70,312.00	\$ 7,031.20
Viasat Carrier Services, Inc.	0027846104	WY-019-9552002	Wyoming	Y	519022	1	3	4	\$ 2,463.30	\$ 246.33
Viasat Carrier Services, Inc.	0027846104	WY-019-9552003	Wyoming	Y	519022	1	2	13	\$ 7,322.10	\$ 732.21
Viasat Carrier Services, Inc.	0027846104	WY-021-0019021	Wyoming	Y	519022	1	48	295	\$ 163,715.90	\$ 16,371.59
Viasat Carrier Services, Inc.	0027846104	WY-021-0019022	Wyoming	Y	519022	1	16	96	\$ 35,941.70	\$ 3,594.17
Viasat Carrier Services, Inc.	0027846104	WY-023-9784001	Wyoming	Y	519022	1	13	46	\$ 19,635.00	\$ 1,963.50

Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	WY-023-9784003	Wyoming	Y	519022	1	3	3	\$ 1,751.80	\$ 175.18
Viasat Carrier Services, Inc.	0027846104	WY-031-9594001	Wyoming	Y	519022	1	116	440	\$ 266,433.50	\$ 26,643.35
Viasat Carrier Services, Inc.	0027846104	WY-033-0005001	Wyoming	Y	519022	1	42	179	\$ 81,304.00	\$ 8,130.40
Viasat Carrier Services, Inc.	0027846104	WY-033-0005003	Wyoming	Y	519022	1	25	183	\$ 95,461.40	\$ 9,546.14
Viasat Carrier Services, Inc.	0027846104	WY-037-9709014	Wyoming	Y	519022	1	2	3	\$ 1,246.70	\$ 124.67

**Connect America Fund Phase II
Auction ID: 903
Ready to Authorize Long-Form Applicants and Bids**

Attachment A



Date of Report: 09/30/2019

Applicant Name	FRN	Winning Bid Name	State	ETC	Study Area Code	# of Census Block Groups	# of Eligible Census Blocks	# of Locations	Winning Bid Amount (total over 10 years)	Amount Due on LOC (first year of support)*
Viasat Carrier Services, Inc.	0027846104	WY-039-9676001	Wyoming	Y	519022	1	13	146	\$ 69,378.50	\$ 6,937.85

* For each state where the applicant is ready-to-be-authorized, the long-form applicant must submit a letter of credit or multiple letters of credit that cover all of the ready-to-be authorized bids in that state. Compliance with service milestones will be reviewed on a state-wide basis. Accordingly, if a long-form applicant chooses to obtain a letter of credit for each of its bids that are located in a state and defaults on only one bid, either of the Bureaus will authorize a draw on all letters of credit covering all the bids in that state.

ATTACHMENT C

FCC Performance Metrics Order on Reconsideration

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

In the Matter of
Connect America Fund
)
)
) WC Docket No. 10-90
)

ORDER ON RECONSIDERATION

Adopted: September 12, 2019

Released: September 12, 2019

By the Chiefs, Wireline Competition Bureau, Wireless Telecommunications Bureau, and Office of Engineering and Technology:

I. INTRODUCTION

1. Connecting more Americans to broadband is at the core of the Commission’s goals. To this end, the Commission awarded \$1.488 billion in high-cost universal service support through the Connect America Fund (CAF) Phase II auction.1 Carriers authorized to receive such support are obligated to demonstrate that their CAF-supported broadband deployments meet the speed and latency requirements on which their support is conditioned.2 Additionally, carriers relying on high-latency technologies, such as satellite, must demonstrate that they can provide quality, reliable voice service as a condition of receiving support. By requiring that these carriers’ networks meet necessary performance standards, the Commission ensures that universal service support is properly spent to help close the digital divide.

2. In 2018, the Wireline Competition Bureau (WCB), the Wireless Telecommunications Bureau (jointly referred to herein as the Bureaus), and the Office of Engineering and Technology (OET) laid out a framework for conducting these tests in the Performance Measures Order.3 Several parties filed petitions for reconsideration and applications for review.4 In this Order, we address the issues raised by Hughes Network Systems, LLC (Hughes) and Viasat, Inc. (Viasat). Specifically, we: (1) refine the

1 See Connect America Fund Phase II Auction (Auction 903) Closes; Winning Bidders Announced; FCC Form 683 Due October 15, 2018, AU Docket No. 17-182, WC Docket No. 10-90, Public Notice, 33 FCC Rcd 8257, 8257 (WCB/WTB 2018).

2 See Connect America Fund et al., WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17705-06, para. 109 (2011), aff’d sub nom. In re FCC 11-161, 753 F.3d 1015 (10th Cir. 2014).

3 Connect America Fund, WC Docket No. 10-90, Order, 33 FCC Rcd 6509 (WCB/WTB/OET 2018) (Performance Measures Order).

4 See Application for Review and Request for Clarification of NTCA – The Rural Broadband Association (NTCA), WC Docket No. 10-90 (Sept. 19, 2018) (NTCA AFR); Application for Review of WTA – Advocates for Rural Broadband (WTA), WC Docket No. 10-90 (Sept. 19, 2018) (WTA AFR); Petition of Hughes Network Systems, LLC, for Clarification, or in the Alternative, Reconsideration, WC Docket No. 10-90 (filed Sept. 19, 2018) (Hughes PFR); Petition of Micronesian Telecommunications Corporation (MTC) for Partial Reconsideration, WC Docket No. 10-90 (filed Sept. 19, 2018) (MTC PFR); Petition of USTelecom – The Broadband Association (USTelecom), ITTA – The Voice of America’s Broadband Providers (ITTA), and the Wireless Internet Service Providers Association (WISPA) for Reconsideration and Clarification, WC Docket No. 10-90 (filed on Sept. 19, 2018) (USTelecom/ITTA/WISPA PFR); Petition of Viasat, Inc. for Reconsideration, WC Docket No. 10-90 (Sept. 19, 2018) (Viasat PFR).

requirements for Mean Opinion Score (MOS) testing and allow for substantially equivalent testing methodologies; and, (2) reject arguments that the *Performance Measures Order*'s clarifications regarding testing are inapplicable to CAF Phase II support recipients awarded support in conjunction with New York State through its New NY Broadband Program.⁵

3. Other parties sought reconsideration or Commission review of a variety of issues, including the availability of testing options; the number of locations to be tested; the timing for testing; the test measurement span; testing standards; and the support reductions for non-compliance. We do not address those issues here.⁶

II. BACKGROUND

4. In the CAF Phase II auction, to ensure technological neutrality by taking into account the capabilities of different broadband providers, auction bids were accepted for four service tiers, each with varying speed and usage allowances, and two latency tiers, one high-latency and one low-latency.⁷ Auction winners that submitted low-latency bids are subject to the same latency requirements as other CAF Phase II carriers, i.e., demonstrating that 95% or more of all testing hour measurements of network round trip latency are at or below 100 ms.⁸ For winners in the CAF Phase II auction who submitted high-latency bids, the Commission required such carriers to meet a two-part standard for the latency of both their voice and broadband services: (1) for voice performance, high-latency bidders must demonstrate a MOS of four or higher using the ITU P.800 standard and, (2) for broadband, these bidders must show that 95% or more of all testing hour measurements of network round trip latency are at or below 750 ms.⁹ The Commission then delegated to the Bureaus and OET the authority to set a specific methodology consistent with the P.800 standard.¹⁰

5. Based on an extensive review of Recommendation P.800, the Bureaus and OET required carriers to conduct a conversation-opinion test under the following conditions: (1) providers must use operational network infrastructure, such as actual satellite links, for conducting MOS testing, not laboratory-based simulations intended to reproduce service conditions; (2) the tests must be implemented using equipment, systems, and processes that are used in provisioning service to locations funded by high-cost universal service support; (3) live interviews and surveys must be conducted by an independent agency or organization (Reviewer) to determine the MOS; (4) testing must be conducted over a "single hop" satellite connection with at least one endpoint at an active subscriber location using the subscriber's end-user equipment; and (5) the second endpoint may be a centralized location from which the Reviewer conducts live interviews with the subscriber to determine the subscriber's MOS evaluation.¹¹

⁵ In January 2017, the Commission granted a petition filed by New York State seeking waiver of the CAF Phase II auction program rules to allow use of CAF Phase II support in Connect America-eligible areas in New York in coordination with New York's New NY Broadband Program. As a result, CAF Phase II support is allocated in partnership with New York's New NY Broadband Program rather than through the Commission's nationwide CAF Phase II auction. *Connect America Fund*, Order, 32 FCC Rcd 968 (2017) (*New York Waiver Order*).

⁶ Other issues raised in petitions for reconsideration and applications for review will be addressed separately.

⁷ *Connect America Fund; ETC Annual Reports and Certifications; Rural Broadband Experiments, Report and Order and Further Notice of Proposed Rulemaking*, 31 FCC Rcd 5949, 5956-64, paras. 14-37 (2016) (*CAF Phase II Auction Order*).

⁸ *CAF Phase II Auction Order*, 31 FCC Rcd at 5960, para. 29.

⁹ *CAF Phase II Auction Order*, 31 FCC Rcd at 5960-61, para. 30.

¹⁰ *Connect America Fund, et al.*, WC Docket No. 10-90, et al., Order on Reconsideration, 33 FCC Rcd 1380, 1386, para. 16 (2018) (*CAF Phase II Auction Reconsideration Order*).

¹¹ *Performance Measures Order*, 33 FCC Rcd at 6525-26, para. 45.

III. DISCUSSION

A. MOS Testing Methodology

6. *Background.* Both Viasat and Hughes challenge aspects of the MOS testing methodologies set forth in the *Order*. Viasat argues that the use of third parties for testing is unnecessary, that the Bureaus and OET did not explain why the use of third parties was required, and that the Commission could instead conduct audits to ensure that testing was conducted properly.¹² In addition, Viasat claims that laboratories needed to do the MOS testing required by the *Order* are not readily available and may not charge reasonable rates and that the P.800 methodology is designed for laboratory testing not for real-world testing so the Commission should develop its own methodology.¹³ In subsequent submissions, Viasat proposes specific changes to the methodology adopted by the Bureaus and OET. In particular, in its most recent *ex parte* letter, Viasat proposes a testing methodology that would include: (1) the use of the actual satellite network and actual equipment (as included in the *Order*); (2) live interviews and use of the ITU P.800 procedures for developing a script for testing and other testing procedures; (3) testing of a single hop in the satellite network (as included in the *Order*); (4) a requirement to achieve a MOS of four or higher for at least 80% of the customers being tested; allowing the second endpoint for testing to be a centralized location; and (5) testing of 100 participants across the nation if a carrier has 3,500 or fewer subscribers or 370 participants if it has more than 3,500 subscribers (as included in the *Order*).¹⁴ Viasat also states that “another alternative would be to adopt a ‘trimmed mean’ approach, whereby the support recipient could show that the average MOS rating was four or higher after eliminating the top 5% and bottom 5% of participants’ scores.”¹⁵

7. In its petition, Hughes argues that the Commission should reconsider the use of the P.800 conversation-opinion test because the Bureaus and OET failed to seek comment after the Commission found there was insufficient record on which to make a decision.¹⁶ Hughes also argues that the *Order*’s rationale for adopting the conversation-opinion test is inconsistent with the 750 ms latency requirement. Hughes claims that, “[t]he Bureaus stated that they selected the conversation-opinion test over the listening-opinion test because the ‘back-and-forth of conversations highlights delay, echo, and other issues caused by latency in a way that one-way, passive listening cannot.’ But the Commission has already imposed a latency limitation on the high-latency bidding tier – 750 ms. The purpose of the MOS score requirement is not to measure latency, it is to measure call quality. That is achieved with the listening test.”¹⁷ Hughes further claims that requiring the use of the conversation-opinion test to measure a MOS of four is not technology neutral. Hughes argues that “[t]he Bureaus adopted an ‘80/80’ compliance standard for speed in part in recognition that, ‘because of technical limitations, it is currently unrealistic to expect that providers obligated to provide gigabit service . . . achieve actual speeds of 1,000 Mbps download at the customer premises’ The Bureaus should have shown similar deference to what is ‘realistic to achieve’ given the ‘technical limitations’ of satellite service,”¹⁸ because “an objective

¹² Viasat PFR at 2-4.

¹³ Viasat PFR at 2-6; Letter from Matthew T. Murchison, Counsel, Viasat, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 1-2 (June 12, 2019) (Viasat June 12, 2019 *Ex Parte*).

¹⁴ Letter from Matthew T. Murchison, Counsel, Viasat, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2-3 (Apr. 11, 2019) (Viasat Apr. 11, 2019 *Ex Parte*).

¹⁵ Viasat June 12, 2019 *Ex Parte* at 2-3.

¹⁶ Hughes PFR at 4-5 (Sept. 19, 2018).

¹⁷ Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 1-2 (July 16, 2018) (Hughes July 16, 2018 *Ex Parte*) (footnotes omitted).

¹⁸ *Id.*

ITU-T tool for estimating MOS scores based on network parameters predicts that a network with 600 ms round-trip latency (such as a geostationary satellite network) will achieve at best a MOS of 3.72.”¹⁹

8. In addition, Hughes asserts that the Annex A requirements of ITU P.800 are too burdensome and that the Commission should only apply those conditions that were in the *Order*.²⁰ Hughes subsequently proposed an alternative method for MOS testing to be used on a prospective basis.²¹ Under this alternative, Hughes would configure its “test subjects and conditions” to achieve a MOS of four and determine the basic network parameters of latency, jitter, and packet loss associated with this level of network performance. It would then do quarterly testing to ensure that the network achieved 80% of these performance levels 80% of the time.²²

9. Several parties support the use of the conversation-opinion test. Vantage Point argues that using the listening-opinion test “would be the equivalent [of] arguing that the flight-worthiness of an airplane should be judged only on its ability to take off, and ignore the fact that it must also land.”²³ Similarly, ADTRAN states that the ITU P.800 makes clear that the listening-opinion test is not suitable for evaluating two-way transmissions such as voice.²⁴ ADTRAN agrees with Viasat that parties should not have to use third parties for testing because other carriers are permitted to use their own employees, and the Commission should allow laboratory-controlled testing as long as the carrier’s actual network is used.²⁵

10. Vantage Point refutes Hughes’ claim that the required testing is inconsistent with the 80/80 speed standard; Vantage Point says, “[t]he Commission’s 80/80 compliance standard allows for small variations (up to 20%) due to overheads associated with networking protocols, interface types, and measurement variances. As an initial matter, this allowance is technology neutral, providing satellite and terrestrial operators alike with a similar compliance cushion. But this is very different than what is being asked for by Hughes. The latency introduced when using geostationary satellite communications is not 20% but rather a factor of 20 times more than the latency of a typical terrestrial based providers by the Commission’s own measurements.”²⁶ NTCA argues that by asking for laboratory rather than real-world testing, Viasat “seems to be claiming that it can satisfy the Commission’s prescribed standard for higher latency services only as long as it does not have to perform testing under the ‘real world’ conditions that the Commission clearly expected in the Performance Metrics Order.”²⁷ Similarly, Conexon claims that

¹⁹ Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2 (Feb. 4, 2019) (Hughes Feb. 4, 2019 *Ex Parte*).

²⁰ Hughes July 16, 2018 *Ex Parte* at 1-2.

²¹ Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 3 (Apr. 9, 2019); Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2 (June 6, 2019) (Hughes *Ex Parte* June 6, 2019).

²² Hughes June 6, 2019 *Ex Parte* at 2-3.

²³ Letter from Larry D. Thompson, Chief Executive Officer, Vantage Point, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2 (Aug. 24, 2018) (Vantage Point *Ex Parte* Aug. 24, 2018).

²⁴ ADTRAN, Inc. Comments on Petitions for Reconsideration, WC Docket No. 10-90, at 2 (Nov. 7, 2018) (ADTRAN Nov. 7, 2018 Comments).

²⁵ *Id.* at 8-9.

²⁶ Vantage Point Aug. 24, 2018 *Ex Parte* at 3 (footnote omitted).

²⁷ Letter from Michael R. Romano, Senior Vice President, Industry Affairs and Business Development, NTCA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2-3 (May 2, 2019) (NTCA May 2, 2019 *Ex Parte*).

Viasat's arguments to change the standards adopted by the Bureaus and OET are inconsistent with Viasat's claims that it can meet the MOS four requirement.²⁸

11. Hughes also seeks reconsideration of the application of the MOS testing methodology changes to the CAF Phase II auction, arguing that it would be an impermissible primarily retroactive action for the Commission to grant Viasat's request to modify after the conclusion of the CAF Phase II auction the testing conditions that were clarified in the *Performance Measures Order* before the start of the CAF Phase II auction.²⁹ According to Hughes, the requirement adopted in the *Performance Measures Order* to perform a conversational opinion test effectively established a "gating criterion" for CAF Phase II auction participation.³⁰ Hughes claims that it declined to bid in the CAF Phase II auction because an ITU-T estimator predicted that geostationary satellites could not achieve the required MOS score of 4 using the conversation-opinion test required in the *Performance Measures Order*.³¹ Hughes argues that to now modify the testing conditions after the CAF Phase II auction has concluded as requested by Viasat will lower a "gating criterion" for participation in the auction.³² Hughes contends that this would be unfair to CAF Phase II bidders who made decisions not to bid based on the rules in effect at the time of the CAF Phase II auction and would cause prospective bidders in future auctions to lose faith in the Commission's ability to conduct fair support auctions.³³

12. *Discussion.* We conclude that the P.800 conversation-opinion test is the test most consistent with the Commission's *USF/ICC Transformation Order*. That Order required sufficiently low latency to enable use of real-time applications, such as VoIP.³⁴ The P.800 listening-opinion test requires that test subjects listen only, such as with a broadcasted announcement, rather than engaging in conversation.³⁵ As such, it examines only those aspects of service quality that can be determined by listening alone. It would fail to identify problems such as echo or excessive delay that could be present in an interactive, conversational setting that requires both speaking and listening. The P.800 conversation-opinion test is designed to test services that support real-time, interactive voice applications.³⁶ We disagree with Hughes' claims that: (1) the Commission in the *USF/ICC Transformation Order* intended the 750 ms latency requirement to be used to verify the feasibility of two-way applications, and (2) the Commission intended the MOS requirement to be used to measure the quality of the voice service through a listening-opinion test.³⁷ When the Commission adopted the MOS requirement for the CAF Phase II auction, it stated that "[w]hile we do not adopt the MOS scoring metric as a substitute for the milliseconds of latency requirement, we believe it can be used to help ensure *quality voice service*

²⁸ Letter from Todd B. Lantor, Counsel to Conexon, LLC, to Marlene H. Dortch, Secretary, FCC, at 2-3 (Mar. 25, 2019) (*Conexon Ex Parte*).

²⁹ Hughes Opposition at 2-3; Hughes Reply at 7-9; Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (Dec. 7, 2018) (Hughes Dec. 7, 2018 *Ex Parte*); Hughes Feb. 4, 2019 *Ex Parte*; see also Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (Mar. 11, 2019) (Hughes Mar. 11, 2019 *Ex Parte*). The *Performance Measures Order* was released two weeks before bidding in the CAF Phase II auction began, but after short-form applications had already been filed. Hughes Reply at 8.

³⁰ Hughes Feb. 4, 2019 *Ex Parte* at 2; Hughes Mar. 11, 2019 *Ex Parte* at 2.

³¹ Hughes Reply at 8; Hughes Mar. 11, 2019 *Ex Parte* at 2.

³² Hughes Mar. 11, 2019 *Ex Parte* at 1.

³³ Hughes Opposition at 3; Hughes Reply at 8-9.

³⁴ *USF/ICC Transformation Order*, 26 FCC Rcd at 17698, para. 96.

³⁵ International Telecommunication Union, Telecommunication Standardization Sector, Series P: Telephone Transmission Quality, Methods for subjective determination of quality, P.800, at 4 (Aug. 1996) (ITU Series P.800).

³⁶ *Id.* at 3.

³⁷ Hughes July 16, 2018 *Ex Parte* at 1-2.

performance for bids designated high latency.”³⁸ The Commission meant that the entire voice service—the “voice service performance”—should have a MOS of four rather than just the quality of the heard voice; therefore, the conversation-opinion test, rather than the listening-opinion test, is most appropriate.

13. Although the Commission previously determined that there was an insufficient record on which to determine which P.800 test is most appropriate,³⁹ we find that there was a sufficient basis for our finding, based on their own evaluation, that only the P.800 conversation test is suitable for measuring the quality of services that support real-time, interactive voice applications such as VoIP. As ADTRAN stated,

In the decision on reconsideration of the *Broadband Measurements Order*, the Commission discussed ADTRAN’s Petition for Clarification or Reconsideration. The Commission indicated that it had not yet specified which of the ITU Recommendation P.800 methods could be used to demonstrate compliance with the voice service quality obligation, but would defer to the Bureaus to make that decision. The Commission did indicate that the record on this point was “sparse.” But while the record on this issue is “sparse,” it is certainly adequate to support the [Bureaus’ and OET’s] decision to require a conversational-opinion test. ADTRAN and others had supported such a specification, and ITU-T Recommendation P.800 itself makes clear that a listening-only test is applicable to unidirectional transmissions, and not conversations.⁴⁰

Indeed, the P.800 states that,

[L]istening tests have direct applications in the assessment of physical transmission systems which are essentially unidirectional. Examples include broadcast circuits, public address systems and recorded announcement systems in which listening degradations such as loss, noise and distortion may be present. Results of listening-only tests can be applied, but only with certain reservations, to the prediction of the assessment for conversation conducted over a two-way system, such as a connection in a public switched telephone network.⁴¹

Although we did not seek additional comment, our detailed analysis of why the conversation-opinion test best reflects the Commission’s prior decisions is well supported.

14. Moreover, even if there was an insufficient record for our consideration in July 2018, the error was harmless because we have now considered a robust record⁴² and find that the P.800 conversation-opinion test will best ensure that customers served by high-latency providers will enjoy quality voice services. As Vantage Point and ADTRAN explain, and the P.800 standard itself makes clear, the listening-opinion test is designed for one-way services, such as broadcasts, and fails to take into account the quality issues of two-way services, such as echo and delay.⁴³ The Commission’s 2011 decision that latency must be sufficient for two-way services, such as VoIP, makes the conversation-opinion test the best choice to measure interactive voice quality.

³⁸ *CAF Phase II Auction Order*, 31 FCC Rcd at 5962, para. 33 (emphasis added).

³⁹ *CAF Phase II Auction Reconsideration Order*, 33 FCC Rcd at 1386, para. 16.

⁴⁰ ADTRAN Nov. 7, 2018 Comments at 6 (citations omitted).

⁴¹ ITU Series P.800 at 4. Although the listening-opinion test can be applied to telephone calls, with reservations, the P.800 requires that the following factors must be taken into account: talking degradations, such as sidetone and echo, and conversation degradations, such as propagation time and mutilation of speech by the action of voice-operated devices. *Id.* Hughes, though noting this, *see* Hughes July 16, 2018 *Ex Parte* at 2, n.7, provides no indication of how this would be accomplished.

⁴² *See, e.g.*, Vantage Point Aug. 24, 2018 *Ex Parte* at 2; ADTRAN Nov. 7, 2018 Comments at 2; Hughes PFR at 4-5.

⁴³ Vantage Point Aug. 24, 2018 *Ex Parte* at 2; ADTRAN Nov. 7, 2018 Comments at 2; ITU Series P.800 at 4.

15. We disagree with Hughes' argument that requirements in the *Performance Measures Order* will make it difficult or impossible for satellite providers to comply with the MOS testing requirements.⁴⁴ Although Hughes states that a satellite network can at best obtain a MOS of 3.72,⁴⁵ that result is based on a specific set of assumptions for a predictive network test, not on the opinions of test subjects using the actual network.⁴⁶ No party has presented any evidence that a satellite carrier testing its customers on the actual satellite network cannot show a MOS of 4. Viasat has stated that "under its current understanding of the testing parameters, it expects that its future CAF II-supported voice offering will meet or exceed a MOS of four."⁴⁷ As Hughes itself points out, "[r]eal world experience also shows that satellite voice customers are satisfied with their voice service," and "churn levels for customers subscribing to both broadband and Hughes's satellite-based VoIP product have been even lower than churn levels for customers for Hughes's broadband-only customers."⁴⁸

16. We disagree with those arguing that the P.800 conversation-opinion test is unsuitable for testing of actual customers at their homes or businesses.⁴⁹ The P.800 conversation-opinion laboratory test is designed to simulate real-world conditions.⁵⁰ Testing of actual customers in the locations where they have service eliminates the need to create simulated conditions. For example, the P.800 laboratory protocols permit testers to vary such parameters as background noise. If actual customers are tested in their homes or small businesses, however, there is no need to simulate real-world background noise—it is already present in the customers' environment. Thus, we will maintain testing, based on P.800 protocols that we intend to further develop, using actual customers where they get service as an option for determining the MOS.⁵¹ However, we recognize that the testing protocols in P.800, to be developed by WCB, as noted below, are extensive and may require customers to be actively engaged in the testing process for some period of time. It is possible that customers may not be willing to participate in the testing for the length of time needed. Properly exercising a communications system requires conversations lasting several minutes because a typical test session requires four to five minutes duration where the conversation period takes two to three minutes and the response period (i.e., the rating period) another two minutes.⁵² In addition, test subjects may need to be instructed in test procedures before the test begins. Therefore, as explained below, we adopt an alternative testing methodology that will allow for P.800 centralized-location testing that will ensure the same quality of voice service as if a carrier performs testing on its own customers.

⁴⁴ See Hughes Dec. 7, 2018 *Ex Parte* at 5-6; see also Hughes PFR at 2-4.

⁴⁵ See Hughes Feb. 4, 2019 *Ex Parte* at 2.

⁴⁶ See Letter from John P. Janka and Matthew T. Murchison, Counsel for Viasat Carrier Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket. No. 10-90, at 2-4 (Apr. 3, 2019) (noting multiple issues with Hughes' claim).

⁴⁷ *Id.* at 2.

⁴⁸ Hughes Reply at 10-11. Although we believe that satellite providers with a well-engineered and well-maintained network will be able to show a MOS of 4 under the methodologies adopted herein, we do not agree with Hughes that customer satisfaction with a particular provider's service renders performance testing unnecessary. See Hughes Reply at 10-11. The purpose of performance testing is to ensure that all carriers receiving CAF funding are meeting their obligations. The fact that customers may be satisfied with one particular provider's service does not mitigate the need to ensure that all carriers, including the carrier whose customers expressed satisfaction at one point in time, are providing the speed, latency, and voice quality that is required by the USF program.

⁴⁹ Viasat PFR at 2-6; ADTRAN Nov. 7, 2018 Comments at 8-9.

⁵⁰ ITU Series P.800 at 5.

⁵¹ International Telecommunication Union, Telecommunication Standardization Sector, Series P: Telephone Transmission Quality, Subjective evaluation of conversational quality, P.805 (April 2007) (ITU Series P.805) ("This conversation test methodology can be adapted to field testing.").

⁵² *Id.* at 3.

17. We also disagree with carriers that argue that carriers conducting customer testing should be able to use their own employees to conduct such tests and that the prohibition against doing so is arbitrary and capricious because speed and latency performance testing is performed by employees and only satellite companies must perform MOS testing.⁵³ First, we note that satellite carriers are under the same testing requirements as all other providers and can self-test using their own employees for speed and latency testing. Second, unlike speed and latency testing, which involve taking measurements and can be largely automated, conversational MOS testing requires test subjects to use the service being tested to carry on a conversation, and then to rate the service and certain service characteristics based on that experience. Because MOS testing depends on obtaining test subjects' opinions/ratings, MOS testing is more subjective than technical testing that solely involves obtaining objective measurements. If a carrier's employees were to talk directly to customers or test subjects, those employees may, even inadvertently, influence customer test responses. We note that audits of the testing results after the fact may not indicate whether this type of influence of test subjects had occurred unless the Commission were to require that all testing be recorded so auditors could hear the testing, which would be burdensome for both carriers and auditors. In addition, a customer or test subject may be more reticent to express an honest opinion to a company employee. We agree, however, that laboratories specializing in MOS testing may not be readily available. Therefore, we allow testing to be conducted by independent entities, which could include a company that specializes in MOS testing or other testing of communications services, but could also be a polling firm or consumer research firm, to ensure that there is no bias.

18. As explained below, we adopt several variations for MOS testing. We believe that each methodology can be successfully used to determine whether a carrier achieves a MOS of at least four.⁵⁴ We disagree with NTCA and Conexon that Viasat's request for changes to the methodology adopted by the Bureaus and OET necessarily means that Viasat is unable to meet the MOS of at least four.⁵⁵ Providing carriers multiple options for testing will minimize the burdens on both carriers and customers. Allowing multiple methodologies, as long as they each satisfy the Commission's requirements, is consistent with Commission precedent in other circumstances. For example, in 1999, the Commission allowed carriers to use either a handset-based approach or a hybrid approach to meet E911 location requirements in addition to the network-based solution that had been approved previously.⁵⁶ The Commission stated that, "[w]hile it does not appear that any single network-based or handset-based location technology is perfect in all situations or for all wireless transmission technologies, both network and handset-based solutions may provide location information by 2001 that meets or exceeds our accuracy requirements."⁵⁷ Similarly, if there are multiple methodologies that will each ensure that the carrier is meeting our MOS requirements while minimizing the burden on carriers and/or customers, we see nothing inconsistent with the Commission's prior orders if we adopt such methodologies as alternatives.

19. First, we affirm the *Order's* adoption of live-subject customer testing using the P.800 conversation-opinion test methodology, with some modifications. As explained above, we decline to allow self-testing for MOS to avoid the possible introduction of bias into the test results. However, we recognize that there are few laboratories that specialize or are in a position to conduct such testing and

⁵³ Viasat PFR at 2-4; ADTRAN Nov. 7, 2018 Comments at 8-9.

⁵⁴ If, as Hughes noted is a possibility, Hughes Feb. 4, 2019 *Ex Parte* at 2, a carrier is unable to achieve a MOS of four or greater under the methodologies adopted in this Order or subsequently, then it would not be in compliance with our performance standards.

⁵⁵ NTCA May 2, 2019 *Ex Parte* at 2-3; Conexon *Ex Parte* at 2-3.

⁵⁶ *Revision of the Commission's Rules To Ensure Compatibility with Enhanced 900 Emergency Calling Systems*, Third Report and Order, CC Docket No. 94-102, 14 FCC Rcd 17388, 17391 (1999).

⁵⁷ *Id.*

that the cost of such testing may be high.⁵⁸ Therefore, we decide above to permit carriers to use any independent entity with telecommunications testing, polling or consumer research expertise to conduct the testing. We agree with Viasat that a common testing procedure should be used to interact with customers.⁵⁹ Therefore, WCB intends to develop the procedures to be used for this testing based on Annex A of P.800 and associated ITU P.805.⁶⁰

20. Viasat also suggests that “real-world” factors may affect the MOS-evaluating conversation that are not accounted for in the P.800 conversation-opinion test procedures, such as customer issues with the provider unrelated to service quality.⁶¹ To address this issue, Viasat suggests either requiring only that 80% of test subjects give an Opinion Score of at least four or that the Commission allow trimming of the top 5% and the bottom 5% of the data prior to determining the MOS.⁶² We do not agree that either of these specific alternatives is appropriate. Ignoring 20% of the testing respondents in evaluating service, absent evidence that this is a reasonable practice, is arbitrary and would allow the carrier to be in compliance with our standards even if 20% of those tested were experiencing voice service of terrible quality. Trimming of the data in some way may be appropriate but cannot in advance determine what the appropriate level of trimming should be and, thus, reject Viasat’s top 5% and bottom 5% proposal. Accordingly, we require that carriers submit all of the testing data. We will then use standard statistical methodologies to trim the data, if warranted. Once the data have been submitted, carriers may submit an analysis using standard statistical methodologies showing support for trimming their data, which the Commission will review prior to making a determination. Compliance will be calculated similar to what is done for speed and latency, i.e., by dividing the MOS achieved by four and multiplying by 100. For example, if a carrier gets a MOS of 3.2, the Universal Service Administrative Company—which will handle compliance calculations—will divide 3.2 by 4 which gives a compliance rate of 80%.

21. We agree with Viasat that this type of testing may be costly, particularly given the requirement to use independent third parties (Reviewers) to conduct the tests. Therefore, rather than testing quarterly, we require providers using this MOS testing methodology to test twice in each calendar year, with the two testing instances separated by at least five months. Although we continue to require quarterly testing for more automated test measurements, we find that twice yearly testing strikes a better balance between the need for MOS testing under different circumstances throughout the year and minimizing the burden on providers.

22. Second, as an alternative to testing of actual customers, we adopt a methodology such that carriers may perform P.800 conversation-opinion MOS testing at a centralized location using test subjects rather than customers. As Viasat states, the P.800 provides procedures for MOS testing in the laboratory environment,⁶³ although the P.800 makes clear that the “conversation test methodology can be

⁵⁸ Viasat PFR at 2-6.

⁵⁹ Viasat Apr. 11, 2019 *Ex Parte* at 2-3.

⁶⁰ In addition to testing voice service quality over a single hop satellite connection that is provided on the actual network used to provide service to CAF-supported locations, using Reviewers from an independent entity, and the other requirements adopted herein, we anticipate that WCB will adopt requirements, including but not limited to, for the conversational tasks that are performed by test subjects, the questions that are asked at the completion of these tasks to obtain the test subjects’ ratings/scores of voice service quality, the location of the test subjects (e.g., for the alternative test methodology, test subjects must be in separate rooms or otherwise positioned within the centralized location so that they cannot see or hear each other, except over the satellite network connection, during their conversation and subsequent scoring of the service), and the timing of scoring submission.

⁶¹ *Id.* at 3.

⁶² Viasat June 12, 2019 *Ex Parte* at 2.

⁶³ Viasat PFR at 5 (footnote omitted).

adopted to field testing.”⁶⁴ As noted above, we recognize that there are few laboratories that specialize or are in a position to conduct such testing, that the cost of such testing may be high, and that customers may resist spending the time required to perform a conversation-opinion test. Therefore, we will allow carriers to conduct P.800 conversation-opinion testing in a centralized environment, rather than a laboratory, using non-customer test subjects and the actual satellite network in a manner consistent with the ITU-T P.800. As with actual customer testing, neither the Reviewers nor the test subjects may be carrier employees, but the testing does not need to occur in a laboratory environment. Rather, carriers may use a centralized location as long as the actual network⁶⁵ is used for testing and the test subjects, who may be compensated, use consumer hardware for the testing of the type typically used by the carrier’s customers. The Reviewers must be from an independent entity, such as a polling or consumer research firm, and the test subjects must be independent of the carrier. The testing procedure will be developed by WCB, as noted above. Although to mitigate the costs we only require such testing to be conducted twice per calendar year, as defined above, we require that each testing instance be conducted from a separate location served by a different network beam – assuming the provider has two or more operational beams – so that the same part of the network is not tested each time. We will use the same trimming procedures and compliance calculations as with customer testing.

23. We note that Hughes has proposed an additional alternative methodology for testing voice service quality required of CAF support recipients.⁶⁶ This proposal may provide reasonably equivalent testing but is complex and substantially different from what we adopted. In essence, Hughes proposes developing a predictive model for voice quality by determining the latency, jitter, and packet loss associated with a MOS of four to be followed by quarterly testing of the latency, jitter, and packet loss.⁶⁷ We intend to continue our review of this methodology to determine if it will provide similar assurance of a MOS of at least four to those testing methodologies adopted herein.

24. We reject Hughes’ arguments regarding application of the performance measures to the CAF Phase II auction. Our decision to modify now, after the conclusion of the CAF Phase II auction, the testing conditions that were clarified in the *Performance Measures Order* before the start of the CAF Phase II auction is not an impermissible primarily retroactive action. The modifications to the testing conditions we adopt do not alter “the past legal consequences of past actions.”⁶⁸ Rather, the modifications will apply when tests are conducted in the future. They do not render Hughes’ past actions illegal or otherwise sanctionable and thus they do not “increase [Hughes’] liability for *past* conduct.”⁶⁹ In addition, the modifications to the testing conditions do not “impair rights [Hughes] possessed when [it] acted.”⁷⁰ Neither Hughes nor any other CAF Phase II bidder had a “right” that a particular testing condition (either the testing conditions established in the *CAF Phase II Auction Order* or as subsequently clarified in the *Performance Measures Order*) would remain in place in perpetuity without further modification by the

⁶⁴ ITU-T P.805 at 3.

⁶⁵ As with MOS testing of satellite carrier customers, we require testing to be implemented using equipment, systems, and processes that are used in provisioning service to locations funded by high-cost universal service support.

⁶⁶ See Hughes June 6, 2019 *Ex Parte* at 2-3.

⁶⁷ See *id.*; see also Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, at 2 (June 27, 2019).

⁶⁸ *Mobile Relay Assocs. v. FCC*, 457 F.3d 1, 11 (D.C. Cir. 2006).

⁶⁹ *Landgraf v. USI Film Prods.*, 511 U.S. 244, 280 (1994). See *National Cable & Telecommunications Ass’n v. FCC*, 567 F.3d 659, 670 (D.C. Cir. 2009) (*NCTA*) (Commission rule banning exclusivity agreements between cable companies and owners of apartment buildings “impaired the future value of past bargains but has not rendered past actions illegal or otherwise sanctionable”).

⁷⁰ *Landgraf*, 511 U.S. at 280.

Commission.⁷¹ In addition, Hughes does not identify any “new duties with respect to transactions already completed” that the modifications impose.⁷²

25. At most, our decision to modify the testing conditions after the conclusion of the CAF Phase II auction will arguably “upset[] expectations based on prior law”⁷³ or “impair[] the future value of past bargains.”⁷⁴ As noted below, such secondarily retroactive actions will be upheld if reasonable and require us to balance the harm of upsetting prior expectations or existing investments against the benefits of applying the rules to those preexisting interests.⁷⁵

26. We conclude that there are important public interest benefits in modifying the testing conditions. The modifications we adopt here ensure that carriers are meeting our MOS requirements while at the same time minimizing unnecessary burdens on carriers and their customers.⁷⁶ To be sure, we recognize that modifying the testing conditions now, after the conclusion of the CAF Phase II auction, may upset the expectations of losing bidders or those who elected not to participate, including Hughes, who claims to have not bid in the CAF Phase II auction based on its view that the pre-auction testing conditions as clarified in the *Performance Measures Order* were difficult or impossible to meet.⁷⁷ We find, however, that such concerns are minimized here and are outweighed by the benefits noted above. When bidding in the CAF Phase II auction began, the period for filing a Petition for Reconsideration of the *Performance Measures Order* had not ended, meaning the clarifications adopted in the *Performance Measures Order* were subject to change.⁷⁸ Indeed, both Hughes and Viasat had filed letters with the Commission after the *Performance Measures Order* was released but before the bidding began expressing concern with the testing conditions adopted in the *Performance Measures Order*, thus demonstrating that the testing conditions were a potential subject for revision post-auction.⁷⁹ Thus, on balance, we find that any upset expectations are outweighed by the benefits of minimizing unnecessary burdens on carriers and their customers imposed by the testing regime. Accordingly, we conclude that modifying now, after the conclusion of the CAF Phase II auction, the testing conditions that were clarified in the *Performance Measures Order* before the start of the CAF Phase II auction is reasonable, both “in substance and in

⁷¹ See *Celtronix Telemetry, Inc. v. FCC*, 272 F.3d 585, 589 (D.C. Cir. 2001), *cert. denied*, 536 U.S. 923 (2002) (“[I]t is undisputed that the Commission always retained the power to alter the term of existing licenses by rulemaking.”) (citations omitted); *DIRECTV, Inc. v. FCC*, 110 F.3d 816, 826 (D.C. Cir. 1997) (“The Commission ‘is entitled to reconsider and revise its views as to the public interest and the means needed to protect that interest’ . . . if it gives a reasoned explanation for the revision.”) (quoting *Black Citizens for a Fair Media v. FCC*, 719 F.2d 407, 411 (D.C. Cir. 1983)).

⁷² *Landgraf*, 511 U.S. at 280.

⁷³ *DIRECTV*, 110 F.3d at 826 (quoting *Landgraf*, 511 U.S. at 280).

⁷⁴ *NCTA*, 567 F.3d at 670.

⁷⁵ See *infra* para. 30.

⁷⁶ See *supra* para. 18.

⁷⁷ Hughes Reply at 8; Hughes Mar. 11, 2019 *Ex Parte* at 1-2. In *U.S. Airwaves*, the D.C. Circuit explained that fairness to losing bidders is a relevant consideration when the Commission makes post-auction changes that are favorable to winning bidders. See *U.S. Airwaves, Inc. v. FCC*, 232 F.3d 227, 235-36 (D.C. Cir. 2000) (upholding secondarily retroactive amendments to the financing options available to winning auction bidders in response to challenge from losing bidder claiming that it would have bid more had it known the Commission was going to adopt such favorable post-auction amendments to the rules, concluding that the Commission “reasonably exercised its discretion to balance fairness to losing bidders with the needs of the market and with the public interest”).

⁷⁸ See *NCTA*, 567 F.3d at 671 (upholding secondarily retroactive rule banning exclusive contracts and stating that “[l]egitimate expectations . . . were left largely undisturbed” because the lawfulness of exclusivity clauses had been under consideration by the Commission).

⁷⁹ See Hughes July 16, 2018 *Ex Parte*; Letter from Jennifer A. Manner, Senior Vice President, Hughes, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (July 19, 2018) (Hughes July 19, 2018 *Ex Parte*); Letter from

(continued....)

being made retroactive.”⁸⁰

B. Application of MOS Testing Methodology to the NY Broadband Program

27. *Background.* Hughes argues in its Petition that it was an impermissible primarily retroactive action for the Bureaus and OET to apply to the NY Broadband Program auction winners the clarifications for implementing the ITU P.800 standard that were subsequently adopted in the *Performance Measures Order*.⁸¹ If the Bureau’s action was not primarily retroactive, then Hughes argues that the Bureau’s action was at least secondarily retroactive and should be reconsidered because the Bureaus’ and OET’s decision was not reasonable.⁸²

28. *Discussion.* An agency order is impermissible as “primarily retroactive” if it “alters the *past* legal consequences of past actions.”⁸³ An agency order that “alters the future effect, not the past legal consequences” of an action or that “upsets expectations based on prior law” is not primarily retroactive.⁸⁴ Rather, such an order is considered secondarily retroactive and will be upheld if “reasonable, *i.e.*, if it is not arbitrary or capricious,”⁸⁵ both “in substance and in being made retroactive.”⁸⁶

29. We reject Hughes’ retroactivity arguments. Our decision to apply to NY Broadband Program Auction winners the clarifications subsequently adopted in the *Performance Measures Order* was not an impermissible primarily retroactive action. The clarifications adopted in the *Performance Measures Order* and as further refined in this Order do not alter “the past legal consequences of past actions.”⁸⁷ Rather, the clarifications, including the requirement to use the conversation-opinion test, will apply when Hughes conducts tests in the future. They do not render Hughes’ past actions illegal or otherwise sanctionable and thus they do not “increase [Hughes’] liability for *past* conduct.”⁸⁸ In addition, the clarifications do not “impair rights [Hughes] possessed when [it] acted”⁸⁹ because the clarifications do not apply to tests conducted in the past. In addition, Hughes never had a “right” to continue to use the ITU-T P.800 protocol, including the listening option, in perpetuity without further clarification by the Commission.⁹⁰ Indeed, in the *New York Waiver Order*, the Commission put Hughes on notice prior to the

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John P. Janka and Jarrett S. Taubman, Counsel, Viasat, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 (July 23, 2018).

⁸⁰ *U.S. Airwaves*, 232 F.3d at 233.

⁸¹ See Hughes PFR at 6-7; Hughes Reply at 14-16; Hughes Dec. 7, 2018 *Ex Parte* at 5.

⁸² See Hughes Dec. 7, 2018 *Ex Parte* at 5-6; see also Hughes PFR at 2, 3-4.

⁸³ *Mobile Relay Assocs. v. FCC*, 457 F.3d at 11 (quoting *Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204, 219 (1988) (Scalia, J., concurring) (emphasis in original)). An order can be primarily retroactive if it (1) “increase[s] a party’s liability for past conduct”; (2) “impair[s] rights a party possessed when he acted”; or (3) “impose[s] new duties with respect to transactions already completed.”; *Landgraf*, 511 U.S. at 280.

⁸⁴ *Mobile Relay Assocs.*, 457 F.3d at 11 (citations and quotations omitted).

⁸⁵ *Id.*

⁸⁶ *U.S. Airwaves*, 232 F.3d at 233.

⁸⁷ *Mobile Relay Assocs.*, 457 F.3d at 11.

⁸⁸ *Landgraf*, 511 U.S. at 280. See *NCTA*, 567 F.3d at 670 (Commission rule banning exclusivity agreements between cable companies and owners of apartment buildings “impaired the future value of past bargains but has not rendered past actions illegal or otherwise sanctionable”).

⁸⁹ *Landgraf*, 511 U.S. at 280.

⁹⁰ See, e.g., *DIRECTV*, 110 F.3d at 825-26 (previous Commission decision providing that reclaimed channels would be distributed pro rata among remaining permittees did not give petitioners the “right” to any specific channel; petitioners may reasonably have expected that they would receive a pro rata portion of reclaimed channels but a new rule is not retroactive “merely because it ... upsets expectations based on prior law”).

deadline for participating in the New York auction that auction winners could be subject to any additional requirements that are adopted for CAF Phase II auction recipients.⁹¹ Similarly, the clarifications do not “impose new duties with respect to transactions already completed.”⁹² Testing in accordance with the ITU P.800 standard is an ongoing compliance requirement that applies throughout the 10-year support term. The clarifications apply to testing that occurs prospectively. The *Performance Measures Order* did not impose “new duties” on testing that predated it.

30. At most, these clarifications arguably “upset[] expectations based on prior law”⁹³ or “impair[] the future value of past bargains.”⁹⁴ Such actions are secondarily, not primarily, retroactive and will be upheld if “reasonable, *i.e.*, if [they are] not arbitrary or capricious,”⁹⁵ both “in substance and in being made retroactive.”⁹⁶ The D.C. Circuit has explained that this requires “agencies [to] balance the harmful ‘secondary retroactivity’ of upsetting prior expectations or existing investments against the benefits of applying their rules to those preexisting interests.”⁹⁷ For the reasons discussed below, we conclude that our action was reasonable.

31. Our clarifications, including the decision that high-latency providers implementing the ITU P.800 standard must perform a conversation-opinion test, was necessary to achieve the Commission’s goal of ensuring that high-latency providers offer “quality voice service” throughout the 10-year support term.⁹⁸ As explained above, we reaffirm our conclusion that the other testing option provided in the ITU P.800 standard (the listening opinion test) is not designed for a two-way voice service.⁹⁹ Thus, allowing high-latency providers, including the NY Broadband Program winners, to comply only with a listening opinion test would undermine the Commission’s goal of ensuring that

⁹¹ *New York Waiver Order*, 32 FCC Rcd at 994 para. 71; *see also id.* at 978, para. 26 (“[T]he Commission will maintain control over the funds at all times . . . by ensuring that the recipients are qualified to meet the obligations and individually authorizing the recipients . . . [and] by requiring the recipients to comply with the same level of oversight as all other Connect America Phase II recipients.”).

⁹² *Landgraf*, 511 U.S. at 280; *see Celtronix*, 272 F.3d at 588-89 (the “transaction” to focus on is the conduct subject to the new rule, not the initial issuance of an authorization at auction); *NCTA*, 567 F.3d at 670 (a ban on existing exclusive contracts entered into before the Commission’s Order “alter[ed] only the present situation”); *see also Chemical Waste Management v. EPA*, 869 F.2d 1526, 1536 (D.C. Cir. 1989) (“It is often the case that a business will undertake a certain course of conduct based on the current law, and will then find its expectations frustrated when the law changes. This has never been thought to constitute retroactive lawmaking, and indeed most economic regulation would be unworkable if all laws disrupting prior expectations were deemed suspect.”).

⁹³ *DIRECTV*, 110 F.3d at 826 (quoting *Landgraf*, 511 U.S. at 280). For example, Hughes argues that applying to NY Broadband Program auction winners the clarifications subsequently adopted in the *Performance Measures Order* will make it difficult or impossible for satellite providers to comply with the performance requirements in the future. *See Hughes Dec. 7, 2018 Ex Parte* at 5-6. *See also Hughes PFR* at 2, 3-4. As a threshold matter, we dispute Hughes’ assertion that the clarifications adopted in the *Performance Measures Order* will make it impossible for satellite providers to comply. *See supra* para. 15.

⁹⁴ *NCTA*, 567 F.3d at 670.

⁹⁵ *Mobile Relay Assocs.*, 457 F.3d at 11 (citations and quotations omitted).

support recipients provide quality voice service.¹⁰⁰ Applying the clarifications adopted in the *Performance Measures Order* to the subsequent CAF Phase II auction winners but not to the previous NY Broadband Program winners would mean that residents of New York would be in jeopardy of not receiving quality voice service from high-latency providers. We find no justification for subjecting the residents of New York to second-class service, and the Commission specifically declined to do so in the *New York Waiver Order*.

32. To be sure, we acknowledge Hughes' claim that it expected to use a listening opinion test despite its obligation to offer telephony service—i.e., a service that would allow Hughes' customers to have two-way conversation. We find, however, that Hughes' apparent expectations were unreasonable and are outweighed by the benefits noted above. First, the Commission stated *before* the deadline to participate in the NY Broadband Program auction that auction winners could be subject to any additional requirements that are adopted for CAF Phase II auction recipients.¹⁰¹ Second, at the time of the NY Broadband Program auction, the decision in the *CAF Phase II Auction Order* to use the ITU P.800 standard was subject to a pending Petition for Reconsideration asking the Commission to clarify that the listener opinion test could not be used.¹⁰² We agree with ADTRAN that Hughes had no legitimate expectation that it could continue to use a test that measures one-way transmissions to demonstrate its ability to support quality two-way services, especially when the issue was the subject of a pending reconsideration petition.¹⁰³ Thus, before the NY Broadband Program auction, Hughes was aware that the requirement to use the ITU-T P.800 protocol was subject to revision and that any revision would apply to NY Auction winners. On balance, we find that any upset expectations are outweighed by the benefits of ensuring that support recipients, including NY Broadband Program auction winners, provide quality voice service.¹⁰⁴ Accordingly, we conclude that applying to NY Broadband Program auction winners the clarifications subsequently adopted in the *Performance Measures Order* was reasonable, both “in

(Continued from previous page) _____

⁹⁶ *U.S. Airwaves*, 232 F.3d at 233.

⁹⁷ *NCTA*, 567 F.3d at 670.

⁹⁸ See *supra* para. [11]; see also *CAF Phase II Auction Order*, 31 FCC Rcd 5949, para. 33.

⁹⁹ See *Performance Measures Order*, 33 FCC Rcd at 6525, para. 44 (“[L]istening-opinion tests would not suffice to demonstrate a high-quality consumer voice experience. Latency only minimally affects participants’ experiences and evaluations in listening-opinion tests, which involve passive listening to audio samples. However, in the *USF/ICC Transformation Order*, the Commission required ‘ETCs to offer sufficiently low latency to enable use of real-time applications, such as VoIP.’ Unlike a listening-opinion test, in a conversation-opinion test, two participants actively participate in a conversation. The back-and-forth of conversations highlights delay, echo, and other issues caused by latency in a way that one-way, passive listening cannot.”).

¹⁰⁰ As explained above, we reject Hughes’ claim that the clarifications adopted in the *Performance Measures Order* were not necessary to ensure quality voice service. See *supra* paras. 12-14.

¹⁰¹ *New York Waiver Order*, 32 FCC Rcd at 994, para. 71; see also *id.* at 978, para. 26 (“[T]he Commission will maintain control over the funds at all times . . . by ensuring that the recipients are qualified to meet the obligations and individually authorizing the recipients . . . [and] by requiring the recipients to comply with the same level of oversight as all other Connect America Phase II recipients.”).

¹⁰² See *NCTA*, 567 F.3d at 671 (upholding secondarily retroactive rule banning exclusive contracts and stating that “[l]egitimate expectations . . . were left largely undisturbed” because the lawfulness of exclusivity clauses had been under consideration by the Commission).

¹⁰³ See ADTRAN Comments at 4-5, 8.

substance and in being made retroactive.”¹⁰⁵

IV. PROCEDURAL MATTERS

33. *Paperwork Reduction Act Analysis.* The Order on Reconsideration adopted herein contain new or modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995, Public Law 104-13.

34. *Congressional Review Act.* The Commission will send a copy of this Order on Reconsideration to Congress and the Government Accountability Office pursuant to the Congressional Review Act.¹⁰⁶

35. *Final Regulatory Flexibility Certification.* The Regulatory Flexibility Act of 1980, as amended (RFA),¹⁰⁷ requires agencies to prepare a regulatory flexibility analysis for rulemaking proceedings, unless the agency certifies that “the rule will not have a significant economic impact on a substantial number of small entities.”¹⁰⁸ The RFA generally defines “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹⁰⁹ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹¹⁰ A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA).¹¹¹

36. The Order on Reconsideration above amends the *Performance Measures Order*. These revisions do not create any burdens, benefits, or requirements that were not addressed by the Final Regulatory Flexibility Analysis attached to the *Performance Measures Order*.¹¹² Therefore, we certify that the rule revisions adopted in this Order on Reconsideration will not have a significant economic impact on a substantial number of small entities.

37. The Commission will send a copy of the Order on Reconsideration, including a copy of

(Continued from previous page)

¹⁰⁴ *U.S. Airwaves*, 232 F.3d at 236 (upholding secondarily retroactive revisions to the financing options available to winning auction bidders because the Commission “reasonably exercised its discretion to balance fairness to losing bidders with the needs of the market and with the public interest”); see *NCTA*, 567 F.3d at 670 (“Our case law does require that agencies balance the harmful ‘secondary retroactivity’ of upsetting prior expectations or existing investments against the benefits of applying their rules to those preexisting interests.”). See also *id.* at 670 (upholding secondarily retroactive rule banning exclusive contracts because the Commission balanced benefits against harms and determined that applying the rule retroactively was worth its costs).

¹⁰⁵ *U.S. Airwaves*, 232 F.3d at 233.

¹⁰⁶ See 5 U.S.C. § 801(a)(1)(A).

¹⁰⁷ 5 U.S.C. § 601 *et seq.*

¹⁰⁸ 5 U.S.C. § 605(b).

¹⁰⁹ 5 U.S.C. § 601(6).

¹¹⁰ 5 U.S.C. § 601(3) (incorporating by reference the definition of “small business concern” in Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register.” 5 U.S.C. § 601(3).

¹¹¹ Small Business Act, 15 U.S.C. § 632.

¹¹² See *Rate-of-Return Reform Order*, 31 FCC Rcd at 3286, App D.

this Final Certification, in a report to Congress pursuant to the Congressional Review Act.¹¹³ In addition, the Order on Reconsideration will be sent to the Chief Counsel for Advocacy of the SBA, and will be published in the Federal Register.¹¹⁴

V. ORDERING CLAUSES

38. Accordingly, IT IS ORDERED that, pursuant to the authority contained in sections 1-4, 5, 201-206, 214, 218-220, 251, 252, 254, 256, 303(r), 332, 403, and 405 of the Communications Act of 1934, as amended, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. §§ 151-155, 201-206, 214, 218-220, 251, 256, 254, 256, 303(r), 403 and 405, sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91, 0.291, and the delegations of authority in paragraph 170 of the *USF/ICC Transformation Order*, FCC 11-161, this Order on Reconsideration IS ADOPTED, effective thirty (30) days after publication of the text or summary thereof in the Federal Register, except for those rules and requirements involving Paperwork Reduction Act burdens, which shall become effective immediately upon announcement in the Federal Register of OMB approval. It is our intention in adopting these rules that if any of the rules that we retain, modify, or adopt herein, or the application thereof to any person or circumstance, are held to be unlawful, the remaining portions of the rules not deemed unlawful, and the application of such rules to other persons or circumstances, shall remain in effect to the fullest extent permitted by law.

39. IT IS FURTHER ORDERED that, pursuant to the authority contained in section 405 of the Communications Act of 1934, as amended, 47 U.S.C. § 405, and sections 0.331 and 1.429 of the Commission's rules, 47 CFR § 0.331 and 47 CFR § 1.429, the Petition for Clarification, or in the Alternative, Reconsideration filed by HUGHES NETWORK SYSTEMS, LLC on September 19, 2018 IS DENIED.

40. IT IS FURTHER ORDERED that, pursuant to the authority contained in section 405 of the Communications Act of 1934, as amended, 47 U.S.C. § 405, and sections 0.331 and 1.429 of the Commission's rules, 47 CFR § 0.331 and 47 CFR § 1.429, the Petition for Reconsideration filed by VIASAT, INC. on September 19, 2019 IS GRANTED IN PART and DENIED IN PART to the extent described herein.

41. IT IS FURTHER ORDERED that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this Order on Reconsideration, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

42. IT IS FURTHER ORDERED that the Commission SHALL SEND a copy of this Order on Reconsideration to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

¹¹³ 5 U.S.C. § 801(a)(1)(A).

¹¹⁴ 5 U.S.C. § 605(b).

Donald Stockdale
Chief
Wireless Telecommunications Bureau

Julius P. Knapp
Chief Engineer
Office of Engineering and Technology

ATTACHMENT D

Oregon Staff Testimony



Oregon

Kate Brown, Governor

Public Utility Commission
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September 18, 2019

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**UM 1970 - In the Matter of VIASAT CARRIER SERVICES, INC., Application
for Designation as an Eligible Telecommunications Carrier (ETC) to
Receive CAF II Funds.**

Enclosed for electronic filing are Certificate of Service, UM 1970 Service List and the following exhibits:

Exhibit 100, page 6 and 8 are confidential
Exhibit 101
Exhibit 102
Exhibit 103 is confidential

/s/ Kay Barnes

Kay Barnes
Utility Program
Filing on Behalf of Public Utility Commission Staff
(503) 378-2118
kay.barnes@state.or.us

CASE: UM 1970
WITNESS: STEVE HAYES

**PUBLIC UTILITY COMMISSION
OF
OREGON**

STAFF EXHIBIT 100

REPLY TESTIMONY

September 18, 2019

1 **Q. Please state your name, occupation, and business address.**

2 A. My name is Stephen Hayes. I am a Senior Utility Analyst for the Public Utility
3 Commission of Oregon (Commission or OPUC). My business address is 201 High
4 Street SE, Salem OR 97301

5 **Q. Please describe your relevant work and educational experience.**

6 A. My educational background and employment experience are set forth in my Witness
7 Qualification Statement, which is provided as Exhibit Staff/101.

8 **Q. What is the purpose of your testimony?**

9 A. The purpose of my testimony is to address the issues identified in the Parties' Joint
10 Statement of the Issues, filed in this docket on August 9, 2019, to allow for resolution of
11 Viasat Carrier Services, Inc.'s (Viasat or Company) Application for Designation as an
12 Eligible Telecommunications Carrier (ETC) to Receive CAF II Funds (Application).

13 Those issues are:

- 14 1. Whether the Commission should require Viasat Carrier Services, Inc. to
conduct service quality testing prior to designation as an eligible
telecommunications carrier.
- 15 2. If the Commission requires service quality testing by
Viasat Carrier Services, Inc.:
- a. Who may conduct the test: the applicant, an independent third party, or both?
 - b. What testing protocols apply?
 - c. What network must be tested?

16 **Q. How will you distinguish different Viasat entities?**

17 A. My testimony refers to Viasat Carrier Services, Inc. as Viasat or Company. When a
18 distinction between Viasat Carrier Services, Inc. and its affiliated Parent Company,
19 Viasat, Inc. (VSI) is needed those entities are specifically identified as Viasat and VSI,
20 respectively.

1 **Q. How is your testimony organized?**

2 A. My testimony is organized as follows:

- I. Background
- II. Need for service quality testing
- III. Who may be required to conduct service quality testing
- IV. Appropriate testing protocols
- V. Identification of network for testing.

3 **Q. Did you prepare any exhibits in support of your testimony?**

4 A. Yes, I prepared the following exhibits:

5 Exhibit Staff/102 – Viasat Responses to Staff Data Requests

6 Exhibit Staff/103 – Viasat Confidential Responses to Staff Data Requests

7 **Q. Please summarize Staff's position on the issues.**

8 A. Staff's position is that testing should not be required prior to considering or as part of
9 considering ETC designation. If the Commission does require testing, it should be
10 performed by an independent third-party using the latest FCC prescribed methods and
11 protocols. The network upon which the voice service should be tested should be the
12 network over which the proposed service is being provided, which obviates pre and
13 concurrent ETC consideration testing.

14 **I. Background.**

15 **Q. What background information is important to consider in addressing the**
16 **remaining issues?**

17 A. The Backdrop of This Specific ETC Designation Proceeding. There are a number of
18 sub-programs funded under the Federal Universal Service Fund (FUSF) umbrella. One
19 of those programs is the Connect America Fund (CAF). The CAF provides funding for
20 broadband deployment. Under CAF, the Federal Communications Commission (FCC)

1 recently conducted a reverse auction (Auction No. 903).¹ The successful bidders
2 competed for specified census blocks that met eligibility criteria. Out of over
3 196 thousand total Oregon census blocks, there were 3,724 eligible census blocks
4 approved by the FCC for the No. 903 auction. The FCC requires winning bidders to
5 certify they are designated as an ETC in areas in which they seek support within a set
6 time.² Viasat was the successful bidder in 3,105 Oregon census blocks and seeks ETC
7 and ETP designation in these blocks.³

8 **II. Need for Service Quality Testing.**

9 **Q. Should the Commission require Viasat Carrier Services, Inc. to conduct**
10 **service quality testing prior to designation as an eligible telecommunications**
11 **carrier?**

12 A. No. For the reasons that follow, Staff recommends that the Commission not require
13 testing prior to deciding whether or not to designate Viasat as an Oregon ETC. To
14 clarify the issue statement, Staff understands the issue statement to narrowly address
15 voice service. This understanding excludes consideration of testing Viasat's satellite
16 broadband service.

17 **Q. Is there any reason to consider testing voice quality?**

18 A. Yes, with respect to certain technologies. Satellite service is generally known to have
19 an inherent high latency that can affect voice quality. The FCC allowed a high-latency

¹ See FCC Website, Connect America Fund Phase II Auction (Auction 903), accessed at:
<https://www.fcc.gov/auction/903>.

² *Connect America Fund Phase II Auction (Auction 903) Closes Winning Bidder Announced FCC Form 683 Due October 15, 2018*, FCC WC Docket No. 10-90, Public Notice, DA 18-887, Attachment A (August 28, 2018).

³ *In the Matter of Viasat Carrier Services, Inc., Application for Designation as an Eligible Telecommunications Carrier and Eligible Telecommunications Provider to Receive Connect America Phase II Funds*, Docket UM 1970, Amended Application, Exhibit A (August 9, 2019) (Amended Application).

1 category of bidders to compete in its Auction No. 903.⁴ VSI qualified for participation in
2 the auction under the high-latency category. Latency affects the timing of packet arrivals
3 that in turn can cause choppy, or, if severe, even incoherent voice communications.
4 Applications such as voice and video have a lower tolerance to latency than other
5 applications like e-mail. Additionally, satellite services need to maintain a line of sight
6 connection with the geostationary satellite which can cause services to be negatively
7 affected by heavy rain and snow as well as stationary obstacles including heavy foliage.

8 **Q. What are the Commission's ETC Application Requirements pertaining to voice**
9 **service quality?**

10 A. The Commission's requirements for ETC designation are set forth in Commission
11 Order No. 15-382 issued in Docket No. UM 1648. The Order does not establish specific
12 ETC voice service quality requirements. Nor does the Commission require testing of
13 any service prior to ETC designation. A designee may become subject to service quality
14 standards after designation.

15 **Q. Has the Commission ever required voice quality testing of any previous ETC**
16 **applicant or any applicant for a certificate of public convenience for any service?**

17 A. No. The Oregon PUC has never required voice quality testing as a pre-requisite for
18 approving any previous ETC applicant or any applicant for a certificate of authority for
19 any proposed telecommunications service.

20 **Q. What are the FCC's ETC requirements pertaining to Viasat's voice service**
21 **quality?**

⁴ See FCC Website, Connect America Fund Phase II Auction (Auction 903), accessed at:
<https://www.fcc.gov/auction/903>.

1 A. The FCC Office of Engineering and Technology, Wireline Competition Bureau, and
2 Wireless Telecommunications Bureau released their performance standards in
3 July 2018.⁵ Latency standards apply to all FCC CAF II recipients, including Viasat. High-
4 latency providers, like Viasat, who participated in Auction No. 903 are allowed a higher
5 latency standard, 750 milliseconds instead of 100 milliseconds. Additionally, high-
6 latency providers must use a conversational test approach on “operational network
7 infrastructure such as actual satellite links for conducting mean opinion score (MOS)
8 testing, not laboratory-based simulations intended to reproduce service conditions.”⁶
9 Clearly, the FCC intends testing to be done after services are offered and networks are
10 operational. Test results must be submitted annually to the FCC.⁷

11 **Q. What are the consequences to Auction No. 903 participants who do not meet**
12 **the required standards when they report annually to the FCC?**

13 A. The FCC’s penalties for non-compliance with latency and MOS testing are set forth
14 in its July 6, 2018 Performance Measures Order, DA 18-710. Non-compliance results in
15 a withholding of a service provider’s FUSF support.⁸ Failure also results in quarterly
16 reporting.⁹

17 **Q. Has Viasat Carrier Services, Inc. provided information in any forum that**
18 **supports that its prospective Oregon voice service offering will meet FCC**
19 **standards when it is required to meet those standards?**

⁵ See *Connect America Fund*, FCC WC Docket No. 10-90, Performance Measures Order, (July 6, 2018) DA 18-710, High-Latency Voice Performance Testing, pages 16-18; accessed at <https://www.fcc.gov/document/wcb-wtb-and-oet-adopt-performance-measures-caf-recipients>.

⁶ See *Performance Measures Order* DA 18-710, ¶ 45, pages 17-18. See also *Connect America Fund*, FCC WC Docket No. 10-90, Order on Reconsideration, (September 12, 2019) DA 19-911, pages 5-11, accessed at <https://www.fcc.gov/document/order-reconsideration-satellite-related-performance-measures>

⁷ See *Performance Measures Order* DA 18-710, ¶67; DA 19-911, ¶ 41.

⁸ See *Performance Measures Order* DA 18-710, pages 22-25, ¶¶ 56-67.

⁹ *Id.*

1 A. Yes. The Company describes the quality of Viasat's voice service in its Amended
2 Application.¹⁰ Viasat also submitted information to the FCC in its short-form application
3 for the 903 auction regarding network capabilities as a pre-requisite to bid in the
4 auction.¹¹ Further, Viasat provided confidential information to Staff in response to a data
5 request about an internal test [BEGIN CONFIDENTIAL] [REDACTED]
6 [REDACTED] [END
7 CONFIDENTIAL].

8 **Q. Does Staff believe Viasat's internal tests adequately demonstrate Viasat's**
9 **prospective Oregon voice service offering will meet FCC standards?**

10 A. Because the Company's internal test could not strictly adhere to FCC testing
11 requirements for high-latency Auction No. 903 participants, recently clarified in the
12 FCC's Order on Reconsideration,¹² Staff does not rely on the reported results to
13 demonstrate affirmatively that Viasat will meet the FCC minimum standards when it is
14 required to do so. However, that is the nature of the 903 auction, as structured by the
15 FCC. The testing standards come into play following ETC designation and the offering
16 of the supported service. Nonetheless, Viasat's internal test results do not provide Staff
17 with cause for concern.

18 **Q. Is Staff aware of any evidence that indicates that VSI's (the applicant's Parent**
19 **Company) voice quality for its current Oregon service offering is not adequate?**

20 A. There is no technical data available to indicate that the VSI voice service will or will
21 not meet the FCC's minimum standards, even assuming that service is comparable to

¹⁰ Viasat Amended Application, at Pages 11, 13, and 30.

¹¹ Refer to, Viasat Response excerpt from Staff DR No. 01, Exhibit Staff/103Hayes/3 to 7.

¹² See Order on Reconsideration, DA 19-911.

1 Viasat. One could assume that the FCC had sufficient cause to believe that Viasat could
2 meet the requirements, otherwise the FCC would not have approved its standing to bid
3 in the auction. This is the first time that the FCC permitted satellite providers to bid for
4 FUSF support. There is, however, some publically available consumer complaint
5 information.

6 **Q. What does the consumer complaint information regarding VSI's (the**
7 **applicant's Parent Company) voice quality indicate for its current Oregon**
8 **service?**

9 A. The number of complaints does not indicate VSI provides poor voice quality service.

10 **Q. Please describe any publically available consumer complaint information**
11 **regarding satellite voice services.**

12 A. The FCC collects and provides to the public consumer complaint information related
13 to satellite services. Between January 4, 2015 and August 26, 2019, the FCC logged 28
14 Oregon consumer complaints related to the availability of satellite service for all satellite
15 service providers.¹³ There is not a specific category related to voice service quality,
16 however, availability would be an indicator if voice service was impacted. The
17 complaints are made from a diverse variety of locales including metropolitan and rural
18 areas.

19 In addition, the Oregon Department of Justice, Civil Enforcement Division, Consumer
20 Protection Section, provides publically accessible consumer complaint data. Between
21 January 1, 2014 and September 10, 2019, there were nine Oregon Viasat consumer

¹³ The FCC data does not identify individual service providers.

1 complaints. None of the available complaint data indicates a specific voice service
2 quality complaint.

3 The Commission takes complaints related to unregulated services. Since November 24,
4 2015, the Consumer Services Division has had no complaints specifically related to
5 Viasat voice service; there were five total complaints between then and August 9, 2019.

6 In 2018, VSI had [BEGIN CONFIDENTIAL] [REDACTED]
7 [END CONFIDENTIAL] with voice service at the end of the year.¹⁴

8 **Q. Will the FCC require voice service testing from Viasat Carrier Services, Inc. in
9 the future if they receive an Oregon ETC designation?**

10 A. Yes.¹⁵ Viasat is required to meet the high-latency bidder requirements specified
11 in 47 C.F.R. § 54.309(a)(v)(B) of the FCC regulations. The manner of testing
12 demonstrating the funding recipient has met those requirements is specified in FCC
13 Order DA 18-710 and additional detail is provided in FCC Order on Reconsideration DA
14 19-911.

15 **Q. What other states claiming jurisdiction to make ETC designations have
16 approved a request for Viasat Carrier Services, Inc. ETC designation?**

17 A. Viasat's Amended Application, at page 5, indicates Arizona, Colorado, Georgia,
18 Idaho, Kentucky, Louisiana, Maine, Montana, New Mexico, Utah, Washington,
19 Wisconsin and Wyoming have approved its application for designation as an ETC.

20 **Q. What states claiming jurisdiction to make ETC designations have not yet
21 approved a request for Viasat Carrier Services, Inc. ETC designation?**

¹⁴ Exhibit Staff/103 CONFIDENTIAL Viasat Confidential Response to Staff Data Request No. 14.

¹⁵ See *Performance Measures Order* DA 18-710, ¶ 3.

1 A. Oregon, Mississippi, and Pennsylvania have not yet approved Viasat's application for
2 ETC designation.

3 **Q. Has the issue of Viasat's voice service quality been raised or addressed in**
4 **Mississippi's or Pennsylvania's review of a Viasat ETC application?**

5 A. The issue has been raised in Mississippi and Kentucky.¹⁶ The Kentucky Public
6 Service Commission considered the issue. Subsequently, it approved Viasat's request
7 for ETC designation, "subject to Viasat's continued compliance with FCC rules and its
8 representations and commitments made by Viasat as part of its application."¹⁷

9 **Q. Have any states claiming jurisdiction to make ETC designations declined to**
10 **approve a request for a Viasat Carrier Services, Inc. ETC designation?**

11 A. To date, no states claiming jurisdiction to make ETC designations have declined to
12 approve a request for a Viasat ETC designation to receive CAF II Funds.

13 **Q. Have any states claiming jurisdiction to make ETC designations required voice**
14 **quality testing of any FCC Auction 903 successful bidder prior to ETC approval?**

15 A. None of the states that have granted ETC status to Viasat have required voice
16 service quality testing prior to ETC approval.

17 **Q. Has the Federal Communications Commission (FCC) required voice quality**
18 **testing of any FCC Auction 903 successful bidder related to approval of ETC**
19 **status for states that do not claim jurisdiction to make ETC designations?**

¹⁶ Kentucky PSC First Request for Information to Viasat Carrier Services, Ind. Case No. 2018-00330 (Jan 9, 2019) Data Request No. 10. Accessed at: https://psc.ky.gov/order_vault/orders_2018/201800330_12202018.pdf.

¹⁷ Kentucky Public Service Commission, In the Matter of Petition of Viasat Carrier Services, Inc., Case No. 2018-00330, Order (February 25, 2019) Page 5, 6, 10, and page 15 Ordering Paragraph 2. Accessed at: https://psc.ky.gov/order_vault/orders_2019/201800330_02252019.pdf.

1 A. No. When a state declines jurisdiction to make ETC designations, the FCC performs
2 this function. The FCC has not required voice quality testing of any FCC Auction 903
3 successful bidder related to approval of ETC status for states that decline jurisdiction to
4 make ETC designations. The FCC took up ETC designations in Alabama, California,
5 Florida, and West Virginia, but has not issued a ruling.

6 **Q. Are you aware of any states that have determined that satellite voice service is**
7 **an acceptable substitute for land line voice service?**

8 A. Yes. Wyoming made that determination.¹⁸

9 **III. Who may be required to conduct service quality testing.**

10 **Q. If the Commission does require service quality testing by Viasat Carrier**
11 **Services, Inc., may the applicant, an independent third party, or both conduct the**
12 **testing?**

13 A. It is Staff's position that any testing should be conducted consistent with the FCC's
14 protocols. Testing that does not utilize the third-party testing required by the FCC will
15 create a dissonance in respective methodologies. Further information on the FCC
16 testing requirements is provided in Staff's testimony regarding the fourth issue below.

17 **IV. Appropriate testing protocols.**

18 **Q. What testing protocols should apply if service quality testing is required?**

19 A. Staff's view is that FCC testing methods and protocols should apply because this is
20 an FCC program facilitated by federal funds. The FCC did not require satellite service

¹⁸ Public Service Commission of Wyoming, In the Matter of the Commission's Investigation on its Own Motion into the Quality and Reliability of Telecommunications Service provided by Qwest Corporation, et al, Docket No. 90000-113-XI-10 et al., Records No. 12650 et al, Order at Pages 15-17 (February 28, 2019) available at <https://drive.google.com/file/d/12GnESU69fGCMv-3hzSUtVAbKo3E85MAL/view>.

1 providers who participated in the FCC's Auction No. 903 to perform voice quality testing
2 prior to bidding. Should the Commission require testing, then Staff recommends
3 allowing the use of the options for FCC testing protocols and methodologies along with
4 one methodology that remains under FCC consideration.¹⁹

5 The FCC satellite testing methodologies, and some protocols, became somewhat more
6 unsettled than it appeared since the FCC issued an order on reconsideration on
7 September 12, 2019.²⁰ On reconsideration, the FCC decided to modify some
8 requirements and allow a choice of methodologies. The Order on Reconsideration does
9 not address all reconsideration petitions the FCC has received, which could lead to
10 more updates. It does, however, deal with some legal and technical issues related to
11 high-latency category testing that may allow it to move ahead with approving fund
12 distribution for Auction No. 903 high-latency bidders. The FCC released test standards
13 in July 2018.²¹ These methods, protocols, and standards are reaffirmed in the
14 September 12, 2019 Order on Reconsideration with some adaptations. They will
15 continue to apply. In addition to the existing requirements the FCC introduced optional
16 methodologies; a second methodology and, tentatively, a third methodology to ease the
17 burden of testing for customers and providers. The FCC reduced MOS testing from
18 quarterly to a bi-annual frequency. The FCC also decided to develop questions and
19 more detailed procedures to be used in conducting the MOS testing. This introduces a
20 higher degree of uncertain delay should this Commission require testing; as those
21 questions and procedures are not yet available.

¹⁹ See *Performance Measures Order*, DA 18-710.

²⁰ See *Order on Reconsideration*, DA 19-911.

²¹ See DA 18-710, pages 16-18.

1 The FCC tentatively introduced a third methodology, indicating that it was yet undecided
2 if and how it would allow for it as an option. Should this Commission require testing,
3 Staff believes that this third optional methodology should also be considered an option.
4 The third method would allow for utilization of automated collection of objective
5 measurements, latency, speed, and packet loss, and utilize that data to predict the
6 associated MOS score of a customer's service. This would involve actual MOS surveys
7 along with those objective measurements. Once a provider had enough data to show
8 statistical correlation of MOS scores to certain combinations of the objective data
9 variables, it could confine its data collection to latency, speed, and packet loss. This will
10 greatly decrease the regulatory burden and be more equivalent to the testing
11 requirements of CAF II recipients who are low-latency providers— essentially every
12 provider that does not use satellite technology. This method will provide significant
13 regulatory relief to customers and providers.

14 If the FCC further revises its testing requirements prior to the commencement of any
15 Commission required testing, Staff recommends, for consistency, to limit the testing to
16 those standards, protocols, and methodologies that the FCC introduced in their recent
17 Order on Reconsideration, including the third tentative methodology as long as the FCC
18 doesn't reject such methods before testing begins.

19 Because the latest FCC action introduces some uncertainties which could delay testing
20 creating a cascading delay effect on the FCC award of funds, delaying Viasat's service
21 implementation, and ultimately delaying availability of Viasat services to rural Oregon
22 consumers, Staff reiterates its least preferred outcome for the resolution of these
23 issues, for consistency, to limit the testing to those standards, protocols, and

1 methodologies that the FCC introduces in the recent Order on Reconsideration,
2 including the third tentative methodology.

3 Due to potential delays in the technically complicated and unsettled regulatory
4 environment surrounding testing, and the other reasons provided in this testimony, Staff
5 urges that the Commission not require testing prior to consideration of Viasat's ETC
6 designation petition.

7
8 **V. Identification of network for testing.**

9 **Q. What network should be tested if the Commission requires testing?**

10 A. Staff's initial position is that the network on which the voice service is to be tested
11 should be the network on which Viasat will provide the supported service after ETC
12 designation. This question arises primarily because Viasat contends that the service it
13 plans to offer as an Oregon ETC is not offered yet and cannot be tested.²² Whether
14 testing an existing voice service is a sufficient proxy for the service is a key question
15 underlying the need for this Commission's undertaking. Staff notes that the testing
16 requirements provided by the FCC prescribe actual conversational testing of MOS
17 discarding the use of a model.²³ Viasat's response to Staff's Data Request No. 10²⁴
18 indicates that the service it will provide in CAF II areas could be different from the VSI
19 network that is in operation today. Viasat indicates differences could result depending
20 on the specific infrastructure and equipment used. Additionally, voice service could

²² Refer to Viasat's response to Staff Data Request No. 10 in Exhibit Staff/102.

²³ The FCC specified the use of the conversational-opinion test requirements specified by the International Telecommunications Union Telecommunications Standardization Sector (ITU-T) Recommendation P.800. Further, "high-latency providers must use operational network infrastructure such as actual satellite links for conducting MOS testing, not laboratory-based simulations intended to reproduce service conditions." See DA 18-710, ¶ 45, pages 17-18.

²⁴ Exhibit Staff/102, Viasat Response to Staff Data Request No. 10.

1 change due to upgrades to software and codecs.²⁵ Staff considers Viasat's stated view
2 as fitting with the FCC's specific testing requirements; specifically, testing should target
3 the actual service being provided.²⁶ This favors ETC designation prior to testing the
4 Viasat network. Such testing is required by the FCC, and will be conducted according to
5 auction 903 requirements.

6 **Q. Does this conclude your testimony?**

7 A. Yes.

²⁵ A codec is a device or program that compresses and decompresses data usually to enable faster transfer rates.

²⁶ See *Performance Measures Order* DA 18-710, ¶ 45, pages 17-18.

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WITNESS: STEPHEN HAYES

**PUBLIC UTILITY COMMISSION
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OREGON**

STAFF EXHIBIT 101

Witness Qualifications Statement

September 18, 2019

WITNESS QUALIFICATIONS STATEMENT

NAME: Stephen Hayes

EMPLOYER: Public Utility Commission of Oregon

TITLE: Senior Utility Analyst, Telecommunications and Water Division

ADDRESS: 201 High Street SE. Suite 100
Salem, OR. 97301

EDUCATION: Bachelor of Science, Accounting, California State University at Chico

EXPERIENCE: I have been employed with the Public Utility Commission of Oregon since 2011. I am currently a Senior Utility Analyst in the Telecommunications and Water Division. My responsibilities include leading research and providing technical support on a wide range of technical and policy issues for telecommunications companies. In addition to being the primary staff person on the previous Qwest, CenturyTel and United price plan dockets, my duties have included supporting analysis of: eligible telecommunications company (ETC) petitions; wholesale and retail service quality reporting and rulemaking; exclusive service territory allocations; study area boundary certifications; number resource allocation; local number portability; and tariff and special contract reviews. I perform geographic information system (GIS) mapping for analysis of geo-spatial data. I have participated in the implementation of new state legislation requiring new PUC functions, and authored related Legislative reports.

Previous to Commission employment I worked for Sierra Telephone Company in California for nearly ten years. My title was Senior Regulatory Analyst and Carrier and Access Billing Administrator. I worked on implementation of state and federal regulatory initiatives that touched nearly every department and function. I was responsible for: federal and state access tariffing, billing and reporting; interconnection agreements with wireless companies; responding to State and Federal data requests; and reporting of revenues and operational statistics including service quality and numbering resources. I provided tariff advice to engineering and construction management. As a result of my experience I became knowledgeable about many telephone utility business and operational practices.

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STAFF EXHIBIT 102

**Exhibits in Support
Of Reply Testimony**

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Staff/103
Hayes/6

A. Yes. The Company describes the quality of Viasat's voice service in its Amended Application.¹ Viasat also submitted information to the FCC in its short-form application for the 903 auction regarding network capabilities as a pre-requisite to bid in the auction.² Further, Viasat provided information to Staff in response to a data request about an internal test **BEGIN CONFIDENTIAL** [REDACTED]

END CONFIDENTIAL.

Q. Does Staff believe Viasat's internal tests adequately demonstrate Viasat's prospective Oregon voice service offering will meet FCC standards?

A. Because the Company's internal test could not, strictly adhere to FCC testing requirements for high-latency Auction No. 903 participants, recently clarified in the FCC's Order on Reconsideration,³ Staff does not rely on the reported results to demonstrate affirmatively that Viasat will meet the FCC minimum standards when it is required to do so. However, that is the nature of the 903 auction, as structured by the FCC, the testing standards come into play following ETC designation and the offering of the supported service. Nonetheless, Viasat's internal test results do not provide Staff with cause for concern.

Q. Is Staff aware of any evidence that indicates that VSI's (the applicant's Parent Company) voice quality for its current Oregon service offering is not adequate?

A. There is no technical data available to indicate that the VSI voice service will or will not meet the FCC's minimum standards, even assuming that service is comparable to

¹ Viasat Amended Application, at Pages 11, 13, and 30.

² Refer to, Viasat Response to Staff DR 01, pertinent pages excerpted from Attachment A, pages 216-220. Staff Exhibit 102

³ See Order on Reconsideration, DA 19-911.

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Hayes/8

complaints. None of the available complaint data indicates a specific voice service quality complaint.

The Commission takes complaints related to unregulated services. Since November 24, 2015, the Consumer Services Division has had no complaints specifically related to Viasat voice service; there were five total complaints between then and August 9, 2019.

In 2018, VSI had **BEGIN CONFIDENTIAL** [REDACTED] **END CONFIDENTIAL** with voice service at the end of the year.⁴

Q. Will the FCC require voice service testing from Viasat Carrier Services Inc. in the future if they receive an Oregon ETC designation?

A. Yes.⁵ Viasat is required to meet the high-latency bidder requirements specified in 47 C.F.R. § 54.309(a)(v)(B) of the FCC regulations. The manner of testing demonstrating the funding recipient has met those requirements is specified in FCC Order DA 18-710 and additional detail is provided in FCC Order on Reconsideration DA 19-911.

Q. What other states claiming jurisdiction to make ETC designations have approved a request for Viasat Carrier Services Inc. ETC designation?

A. Viasat's Amended Application, at page 5, indicates Arizona, Colorado, Georgia, Idaho, Kentucky, Louisiana, Maine, Montana, New Mexico, Utah, Washington, Wisconsin and Wyoming have approved its application for designation as an ETC.

Q. What states claiming jurisdiction to make ETC designations have not yet approved a request for Viasat Carrier Services Inc. ETC designation?

⁴ Exhibit 103 CONFIDENTIAL Viasat Confidential Response to Staff Data Request No. 14.

⁵ See *Performance Measures Order* DA 18-710, ¶ 3.

**Oregon Public Utilities Commission
Viasat Carrier Services, Inc.
Docket No. UM 1970
CONFIDENTIAL Response¹ to
Staff Request Nos. DR 1-5
November 23, 2018**

- DR 1. Please provide a copy of the application and all supporting information submitted by VSI (or any associated entity) to the Federal Communications Commission (FCC) as part of the FCC's Form 183 ("Short Form") as it pertains to the FCC's Connect America Fund (CAF) Phase II Auction 903 locations within Oregon.
- Response: A CONFIDENTIAL copy of VSI's Short Form is attached hereto as Attachment A. As noted, the Short Form contains confidential information. This information has been redacted from the public version of the instant response.

¹ Under ORCP 36(C)(7) and OAR 860-001-0080(1), Viasat Carrier Services, Inc. ("Viasat") is currently submitting with the instant response a motion for a general protective order in these proceedings. The information and documentation requested by the Commission Staff in DR 1-5 contains confidential information. Specifically, the application and all supporting information submitted by Viasat, Inc., the parent company of Viasat ("VSI"), to the Federal Communications Commission ("FCC") as part of FCC Form 683 ("Long Form") as it pertains to CAF II Auction 903 locations within Oregon, including but not limited to the Divide Winning Bids portion for assignment of winning bids, as well as information that was due to the FCC by November 5, 2018, pertaining to: 1) a detailed description of the technology and system that will be used in Oregon to meet the auction public interest obligations, and 2) standby letter(s) of credit applicable to Oregon bids contains commercially sensitive and confidential business information related to VSI and Viasat.

Additionally, the FCC specifically found that information related to a CAF II Auction winning bidder's detailed technology and system design description and its project funding description will be treated as confidential trade secrets and/or commercial information and is to be withheld from the public. See Connect America Fund Phase II Auction (Auction 903) Closes, Winning Bidders Announced, FCC Form 683 Due October 15, 2018, Public Notice, DA 18-887, ¶ 27 (released August 28, 2018). This information is in the Long Form, Short Form and supporting documentation. Good cause exists for the issuance of a protective order to protect this commercially sensitive and confidential business information. Therefore, Viasat is submitting both a confidential and public version of the instant response in anticipation of a grant of the general protective order. The public version has this sensitive information redacted.

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September 6, 2019

DR 10: Please explain the differences in VSI's existing voice service (i.e.; services offered by Viasat, Inc.) on its current network and the voice service Viasat intends to offer in the CAF II areas, if it receives ETC designation. Include in the Company's response an explanation as to why tests of VSI's existing voice service quality would or would not be indicative of the prospective service's voice quality.

Response: It is currently unknown when Viasat will launch voice service in the CAF II areas in Oregon. As a result, the network infrastructure Viasat will use to launch service in CAF II areas could be different from what is in operation today. Items such as, the satellite used to provide service, the ground network infrastructure, equipment, etc., could change from what is in operation today. Even if Viasat does not change the network, the equipment used to support the Voice service will likely change as a result of upgrades, software changes, codec upgrades, etc., between now and service launch.

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- DR 14. Please provide the total number of VSI Oregon Customers and the total customers who subscribed to voice service for each calendar year 2014 through 2018.
- 14a. For each year indicate how many of the VSI customers subscribed to voice service at the end of each year; or
- 14b. For each year indicate how many VSI customers subscribed to voice service at any time during each year.

Please use either method, indicate in your response which method was used.

Response: The following response has been redacted and submitted separately as confidential.

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WITNESS: STEPHEN HAYES

**PUBLIC UTILITY COMMISSION
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STAFF EXHIBIT 103

**Exhibits in Support
Of Reply Testimony**

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Staff Exhibit 103 is confidential – subject to

Protective Order 18-448.

CERTIFICATE OF SERVICE

UM 1970

I certify that I have, this day, served the foregoing document upon all parties of record in this proceeding by delivering a copy in person or by mailing a copy properly addressed with first class postage prepaid, or by electronic mail pursuant to OAR 860-001-0180, to the following parties or attorneys of parties.

Dated this 18th day of September, 2019 at Salem, Oregon



Kay Barnes
Public Utility Commission
201 High Street SE Suite 100
Salem, Oregon 97301-3612
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UM 1970 - SERVICE LIST

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