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Sent: Friday, April 3, 2020 4:19 PM

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Subject: Update of Public Service advocacy at the FCC

Good afternoon, Chair Cummings, Vice Chair MacDonald, Chair Briglin, and Vice Chair Sibilina –

Attached is the petition the Public Service Department filed today at the FCC seeking reconsideration of the terms in their order establishing the Rural Digital Opportunity Fund. The draft order was issued in early February this year. As things stand now, the terms of the FCC's RDOF program are highly restrictive and risk penalizing/excluding states like Vermont for having state-funded programs like our Connectivity Fund for last-mile build out. Honestly, I think the FCC had a logical motivation for what it did – maximizing the reach of each federal dollar by prohibiting/guarding against overlap with state dollars -- but they are too removed to truly grasp the magnitude of the funding shortfall and the service gaps left by the private sector market, not to mention the particular facts on the ground in rural parts of America that we are all confronting and working to overcome. This factual disconnect is one of several reasons why I traveled to D.C. in mid-February and met personally with each FCC Commissioner (except Chair Pai – that meeting is still ahead in late April) to make clear the need for them to have more state input into their data and their mechanisms for how they are disbursing the considerable connectivity funding at their disposal. Among other things, I have been urging them to reconsider their 25-year-old policy of refraining from issuing grants to states (as opposed to strictly relying on auctions to disburse their funding to ISPs and telecom carriers).

Happy to discuss further in due course if it would be helpful. The deployment timeline for RDOF has likely been derailed by the onset of the pandemic, so beyond filing this petition there is nothing additional for me to report right now. Mainly I wanted you to be aware that the Department's commitment to taking the fight to the FCC is well underway. Please take care of yourselves. JET

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