



Federal Communications Commission
Washington, D.C. 20554

June 6, 2013

Mr. Alex Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (Commission) requests OMB approval to submit the information collection described herein under the "emergency processing" provision of the Paperwork Reduction Act (PRA) of 1995 (5 C.F.R. § 1320.13). The Commission is requesting clearance for a new information collection entitled: Connect America Challenge Process and Certifications. We respectfully request OMB approval for this collection by July 8, 2013.

On May 22, 2013, the Commission released a Report and Order, WC Docket No. 10-90, FCC 13-73 (*Phase I Order*), instituting a second round of Connect America Phase I support under modified rules. On May 16, 2013, the Wireline Competition Bureau (Bureau) released a Report and Order, WC Docket No. 10-90, DA 13-1113 (*Phase II Order*), establishing the challenge process for Connect America Phase II.

Phase I and Phase II of the Commission's comprehensive overhaul of its universal service rules are intended to expand broadband-capable infrastructure in rural America, while preserving voice service, so that millions of Americans can have access to the economic and educational benefits of broadband in the 21st century.

As part of the *Phase I Order*, the Commission requires carriers to make certain certifications to ensure that Connect America funding is being properly used. Depending on the type of deployment at issue, carriers must certify that 1) the locations being deployed to are not receiving funding under other federal government programs that support broadband expansion, specifically, the Broadband Initiatives Program or the Broadband Technology Opportunities Program; 2) that the carrier currently is providing Internet access through technology that is unlikely to deliver speeds meeting the Commission's requirements (specifically, the equipment that enables the location's broadband service is fed through a copper line rather than a fiber line); and/or 3) it has deployed to all economically feasible locations it could under the rules for the first round of Phase I, and is prioritizing deployments to locations that only have dial-up Internet access. This information will be used to ensure that only eligible areas receive support and that support is not spent on overbuilding existing broadband networks. This will help to advance the Congressionally mandated goal of improving access to advanced telecommunications and information services, as called for in section 254 of the Communications Act of 1934, as amended, while at the same time preserving scarce funding resources by ensuring that support is only provided to eligible areas.

The Bureau's *Phase II Order* establishes the process for parties to raise challenges as to the designation of a census block as served or unserved by voice and broadband. The Bureau has prepared a form for parties to submit in order to raise challenges. Challengers are also required to submit certifications that they have attempted to verify their claims and that the information submitted is true to the best of their knowledge. This information will be used to ensure that funding flows to those areas that lack broadband service,

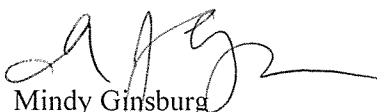
while also preventing funds from being spent in areas where an unsubsidized provider is already providing voice and broadband service. It is a critical component of carrying out the Commission's objective that funding be used efficiently, in a targeted manner.

Two factors necessitate emergency approval of the Phase I information collection. First, unclaimed funds from Phase I will be added to Phase II; it therefore is necessary to complete the Phase I election process as quickly as possible in order to implement fully Phase II. Second, if emergency approval is granted, Phase I funds could start being distributed as early as September, enabling recipients to begin expanding broadband before winter weather impedes construction. Without emergency approval, broadband expansion to potentially hundreds of thousands of consumers across the country would be delayed, depriving those households of the access to jobs, education, and other opportunities that broadband provides. For these reasons, if the Commission were to wait 120 days to notify the public and potential funding recipients of its intent to conduct the Phase I information collection, the distribution of Phase I support would be substantially delayed, and this delay would result in harm to the program and the public.

Similarly, the Commission is seeking to begin distributing Phase II support to advance deployment of broadband-capable networks in early 2014. For funding to become available in early 2014, the Bureau must begin the challenge process this summer to finalize the areas where support will be provided, and thereby bring the benefits of broadband to millions of Americans. If the Bureau were to wait 120 days to formally notify the public and potential interested parties of its intent to collect this information, distribution of Phase II support would be substantially delayed, and this delay would result in harm to the program and the public. In addition to reviewing written comments, the Bureau has held multiple meetings with parties likely to file challenges, including two joint meetings with representatives of various potential participants in the process to solicit input on how to structure the necessary information collection. The Bureau has taken these parties' input into consideration in crafting this information collection. Because of these circumstances, the Commission is requesting emergency processing and approval. Further, due to the emergency nature of this request, the FCC is seeking a waiver of the requirement to publish a 60-day notice in the Federal Register. The Commission will conduct all necessary regular submission requirements under the PRA after approval of this emergency request.

The Commission's staff is ready and eager to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request by July 8, 2013.

Sincerely,



Mindy Ginsburg
Deputy Managing Director
Office of Managing Director
Federal Communications Commission