



N A R U C
National Association of Regulatory Utility Commissioners

June 2, 2020

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Portals II Building
Washington, D.C. 20544

RE: Notice of Oral Ex parte filed in the proceeding captioned: *In the Matter of the Rural Digital Opportunity Fund Phase I Auction*, AU Docket No. 20-34, WC Docket Nos. 19-126 and 10-90

Dear Secretary Dortch,

Today, I spoke with Preston Wise, Rural Broadband Advisor to the Chairman, by phone to discuss a letter, available online in ECFS here: <https://www.fcc.gov/ecfs/filing/10601578016603>, filed yesterday from NARUC's President, Mississippi Commissioner Brandon Presley and NARUC Telecommunications Committee Chair Karen Charles Peterson. That letter requested the FCC incorporate some ideas from the bipartisan Rural Broadband Acceleration Act (H.R. 7022) introduced last Thursday by Representative James Clyburn (D-SC) and Fred Upton (R-MI). During the call I went over the requests in the letter. I also responded to some concerns raised by suggesting at least some elements could be incorporated without adjusting the software for the auction program. For example, adding a requirement to begin construction within six months of an award and to begin to provide some service within a year of the award is not inconsistent with the milestones the FCC set in the January 30, 2020 order, e.g., to build out service to 40% of the CAM-calculated number of locations by the end of the third full calendar year following funding authorization. And to the extent an APA notice problem exists, there is time to cure it.

As always, I am sending Mr. Wise a copy of this ex parte so he can let me know if I failed to cover adequately the advocacy points raised during our conversation. If he sees any deficiency and lets me know I will refile to make any needed corrections or additions.

Respectfully submitted,

James Bradford Ramsay
NARUC General Counsel

cc: *Preston Wise, Rural Broadband Advisor to the Chairman*