



Cathy Carpino
Assistant Vice President -
Senior Legal Counsel

AT&T Services, Inc.
1120 20th Street NW, Suite 1000
Washington, D.C. 20036
Phone (202)457-3046
cathy.carpino@att.com

October 7, 2020

Via Electronic Mail

Kris Monteith
Bureau Chief
Wireline Competition Bureau
Federal Communications Commission
Washington, D.C.

David L. Hunt
Inspector General
Federal Communications Commission
Washington, D.C.

**Re: Mississippi Public Service Commission's September 29, 2020 Letter about
AT&T Mississippi's Compliance with the Connect America Fund Phase II
Requirements**

Dear Ms. Monteith and Mr. Hunt,

I am writing today to correct misstatements contained in the Mississippi Public Service Commission's (PSC) September 29, 2020, letter to you, to provide you with some background information about the PSC's review of AT&T Mississippi's compliance with its eligible telecommunications carrier (ETC) and Connect America Fund Phase II (CAF II) requirements, and to offer you copies of all the information AT&T Mississippi provided to the PSC, some of which includes confidential commercial information.

During the past month, AT&T Mississippi responded to multiple, broad-ranging information requests by the PSC, including requests seeking information not required under the rules of this Commission, the Universal Service Administrative Company (USAC) or the PSC itself. Following the submission of that information, on September 28, 2020, the PSC unanimously issued an order stating: "The Commission, after consultation with the Staff, concludes that AT&T Mississippi's Plan for Utilization of the Federal Universal Service Fund for the year 2021 is consistent with the Commission's Orders dated April 6, 2007, and November 15, 2012, in Docket 2005-AD-662, the Telecommunications Act of 1996, and the pertinent FCC

Orders.” Additionally, the PSC included AT&T Mississippi in its list of high-cost ETCs that it certified used federal high-cost support in the prior year and will use federal high-cost support in the upcoming year for the intended purpose, consistent with section 254(e) of the Communications Act of 1934, as amended.

Notwithstanding these conclusions, just one day later, the PSC sent its September 29 letter to the Commission asserting that AT&T Mississippi “submitted false information” to USAC. That is not correct. The facts are as follows.

Last month, a PSC commissioner asked AT&T Mississippi, “How many individuals have applied for Fixed Wireless Internet and have been determined not to have service available at their location after they have applied?” AT&T’s Fixed Wireless Internet (FWI) service is a fixed wireless service designed to provide customers with internet access service at speeds of at least 10 Mbps download/1 Mbps upload, consistent with the CAF II requirements. AT&T Mississippi interpreted the PSC commissioner’s question to request the number of locations where a technician was unable to install FWI service at a CAF II location and it provided this information. The PSC commissioner requested additional information about AT&T Mississippi’s response, asking that it provide the addresses for such locations, the date of the attempted installation, the date AT&T Mississippi certified to USAC the location was served and the date it notified USAC that service was unavailable at this location. AT&T Mississippi provided the requested information and noted that the addresses on that list that it reported in USAC’s High Cost Universal Broadband (HUBB) portal represent 0.006 of the total locations AT&T Mississippi has reported in the HUBB and it will remove these locations from the HUBB before the end of the year. To be clear, AT&T Mississippi learned, via an unsuccessful installation attempt, that it could not offer service meeting the CAF II minimum performance requirements at those addresses only after it had reported those addresses in the HUBB.

As you are aware, until late last year, USAC offered carriers no automated means of updating or removing locations previously certified in the HUBB. Instead, carriers had to email USAC the location(s) to be removed/updated, along with the reason for each update. USAC would then forward the carrier’s email to Commission personnel to review and approve (or not). Only with Commission staff approval could USAC make that update to the HUBB on behalf of the carrier. Given how unwieldy this process was, USAC made modifications to the HUBB software to enable carriers to perform bulk edits (e.g., deletions or geocoding updates to previously certified locations). Those changes were announced late last year but, as is to be expected with any major system upgrade, USAC had to perform some debugging after initial beta testing. In anticipation of the new HUBB functionality, AT&T Mississippi has maintained a list of locations in the HUBB that need to be updated, including by removing some permanently as well as removing others and then adding them back with more precise geocoding.

While the bulk edit functionality was available to carriers earlier this year, there is no Commission rule that requires carriers to make corrections within a certain number of days and by then, AT&T had decided to retain a preeminent firm to review the geocoding of AT&T's entire CAF II inventory of locations, across all eighteen states where it receives CAF II support. Not only did the vendor review and enhance the geocoding of locations already reported in the HUBB by providing rooftop-accurate geocodes, the vendor also reviewed the geocoding of all broadband serviceable locations in AT&T's CAF II-eligible census blocks. AT&T received the vendor's results this summer and has spent the past several months reviewing and validating the data. Based on the Commission's experience with broadband mapping, we expect that you appreciate what a large undertaking this has been.

We shared this information (and provided greater detail on a confidential basis) with the PSC and explained that AT&T Mississippi will comprehensively update its HUBB entries before the end of the year to provide that rooftop-accurate geocoding and at that time will permanently remove the locations contained on the list of addresses it provided the PSC (i.e., 0.006 of the total) where AT&T Mississippi has subsequently determined it cannot guarantee service at the CAF II required levels. AT&T decided to perform this work in tandem because there will be instances where the revised geocoding could be more than 1,000 feet from where AT&T previously reported a location. For some locations, that difference in latitude and longitude could mean that we can no longer offer our FWI service to that address. Moreover, in some instances the revised geocoding process revealed that some locations are outside of a CAF II-eligible census block. AT&T will remove all such locations, as well as the unsuccessful installation addresses disclosed to the PSC. At the same time, through this geocoding project, the vendor also has identified a large number of broadband serviceable locations previously thought not to be inside AT&T's CAF II-eligible census blocks and where AT&T Mississippi has determined it can offer its FWI service. AT&T will add those locations when it updates its HUBB entries.

The PSC's letter implies AT&T Mississippi is deceiving the Commission and consumers by advertising internet access service as available but then being unable to install the service once the technician arrives and checks available signal strength. That concern is unfounded. As the Commission understands, fixed wireless services are affected by terrain. AT&T employs sophisticated propagation modeling software that accounts for factors such as terrain and clutter to identify areas where FWI service is available. However, there are instances, such as the ones the PSC notes, where AT&T subsequently learns that the signal may not be strong enough to guarantee service that meets the CAF II performance requirements because, for example, the customer has a significant number of large trees between her/his home and the serving cell tower. Indeed, AT&T has endeavored to exceed each CAF II build milestone to account for this unavoidable circumstance.

AT&T has done its level best to comply with the Commission's CAF II requirements and the PSC's assertion that AT&T has submitted false data to USAC is unfounded. At the end of day, factoring in all the expected HUBB updates and removals described above, AT&T can assure the Commission that it remains in compliance with its interim build milestones and will exceed its 100% build requirement by the end of this year in all eighteen of its CAF II states, including Mississippi.

Please contact me if you have any questions and if you would like copies of all of the information AT&T Mississippi provided to the PSC.

Sincerely,

/s/ Cathy Carpino

Cathy Carpino

cc: Ryan Palmer (via email)
Alex Minard (via email)