

March 24, 2021

VIA E-FILING PORTALMark L. Johnson, Exec. Director and Secretary
Washington Utilities & Transportation Commission
P. O. Box 47250
Olympia, WA 98504-7250Received
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State Of WASH.
UTIL. AND TRANSP.
COMMISSION

Re: Docket UT-180763 - Computer 5, Inc. d/b/a LocalTel Communications' voluntary submission of FCC Form 683 RDOF Auction information in response to Staff request

Dear Mr. Johnson:

On behalf of Computer 5, Inc. d/b/a/ LocalTel Communications ("LocalTel") enclosed for filing with the Washington Utilities & Transportation Commission ("Commission"), are copies of information from LocalTel's FCC Form 683 ("Long Form"), which was submitted to the Federal Communications Commission ("FCC") as part of phase one of the FCC's Rural Digital Opportunity Fund ("RDOF") auction ("Auction 904"), and is being provided in this docket as a courtesy, at the request of the Commission staff ("Staff").

On December 7, 2020, the FCC issued its *RDOF Auction Public Notice*, announcing the results of Auction 904.¹ The FCC described its Rural Digital Opportunity Fund as the "single biggest step to close the digital divide by providing up to \$20.4 billion to connect millions more rural homes and small businesses to high-speed broadband networks."² In the RDOF Auction, the FCC awarded LocalTel broadband support for 12,530 locations in 1527 Census Blocks in Chelan,

¹ *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes, Winning Bidders Announced, FCC Form 683 Due January 29, 2021*, Public Notice, AU Docket No. 20-34, WC Docket Nos. 19-126 and 10-90, DA 20-1422, 2020 WL 7258807 (rel. Dec. 7, 2020) ("*RDOF Auction Public Notice*").

² *FCC Launches \$20 Billion Rural Digital Opportunity Fund To Expand Rural Broadband Deployment*, Report and Order, FCC 20-5, 35 FCC Rcd 686-para. 2 (2020) ("*RDOF Report and Order*").

Douglas, and Grant counties, contingent on LocalTel's successful completion of the FCC's full application and approval process.

LocalTel does not seek, or require, any additional ETC designation from the Commission in connection with the FCC's RDOF Auction. On January 31, 2019, the Commission issued Order 01 in this Docket UT-180763, granting LocalTel the relief sought in this proceeding. There, the Commission granted LocalTel's petition for designation as an Eligible Telecommunications Carrier ("ETC") throughout five counties: Adams, Douglas, Grant, Lincoln and Chelan (with the exception of the Stehekin exchange in Chelan County). All of the Census Blocks for which LocalTel has been awarded support in are the portions of Chelan, Douglas, and Grant counties where the Commission has already designated LocalTel as an ETC.³

Because LocalTel is already an ETC in all areas relevant to its RDOF Auction award, there is no need for LocalTel to petition the Commission for further relief in connection with the RDOF Auction. Indeed, in the absence of any such petition, there does not appear to be any basis for the Commission to require information from LocalTel concerning its RDOF Auction award, or to exercise jurisdiction over the LocalTel's eligibility for the funding awarded by the FCC.

Nonetheless, LocalTel is voluntarily sharing the information submitted here with the Commission, in response to Staff's informal request, in order to provide the Commission with an understanding of LocalTel's RDOF Award and LocalTel's plans to extend service to currently unserved areas in Chelan, Douglas, and Grant counties. These documents provide key details as to the technology and system design of LocalTel's winning RDOF Auction bid, as well as other supporting information on how LocalTel will bring high-speed internet access and voice service to the areas identified in the FCC's award. Although LocalTel believes that the materials provide the Commission with sufficient information relevant to the RDOF Auction, should the Commission feel the need to review any of the other documents not submitted herein (as shown in the Winning Bids attachments), LocalTel is open to voluntarily providing additional documents. Finally, please note that the application is still subject to review by the FCC and is subject to change.

Due to the nature of the materials, LocalTel is filing both a **confidential** and a public redacted version of these materials via the Commission's e-filing portal. The confidential version of this filing contains materials that are confidential under WAC 480-07-160, including (a) confidential information on the technology and system design of LocalTel's winning bid for the RDOF Auction, (b) sensitive cost, funding, and financial information on LocalTel's plans to leverage the RDOF Auction funding to expand service in the unserved areas of Washington State for which the funding was awarded. These materials were submitted confidentially to the FCC

³ None of the Census Blocks, or the 12,530 locations, are in the Stehekin exchange that was excluded from LocalTel's ETC designated service area by Order 01.

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with the understanding that the FCC will maintain the confidentiality of these materials. Moreover, the information contained in said materials is not generally available to the public, and LocalTel takes reasonable measures to preserve the confidentiality of this information. Disclosure of said confidential information would cause competitive harm to LocalTel's business. Accordingly, the confidentiality of these materials is protected by WAC 480-07-160.

Please contact the undersigned with any questions concerning this filing.

Sincerely,

Davis Wright Tremaine LLP

/s/Alan J. Galloway
Alan J. Galloway
1300 SW Fifth Avenue, Suite 2400
Portland, OR 97201-5610
(503) 778-5219
alangalloway@dwt.com

AJG/kh/Encls.