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Congress of the United States
House of Representatives
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COMMITTEE ON
JUDICIARY
VICE CHAIRMAN OF COURTS,
INTELLECTUAL PROPERTY AND THE
INTERNET
REGULATORY REFORM, COMMERCIAL
AND ANTITRUST LAW
COMMITTEE ON RULES
CO-CHAIRMAN OF THE
CREATIVE RIGHTS CAUCUS

September 15, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler,

I am writing today in regards to Windstream's compliance with the Connect America Fund requirements. Like you, I believe in the goal of expanded broadband infrastructure for those in rural communities. On August 5, 2015, you announced that Windstream accepted \$175 million of Phase II Connect America Funds (CAF-II). Many of my constituents in Northeast Georgia are closely watching the use of CAF-II funds to spur investment in and expansion of rural broadband in their communities. They expect, as do I, that companies who accept CAF-II will fulfill the requirements that are attached to the acceptance of these funds. In the past months, I've heard numerous concerning reports from my constituents who rely on Windstream to provide broadband services that lead me to question if Windstream is fully meeting its obligations under CAF-II.

It is my understanding that under the CAF-II program, the FCC requires deployed broadband networks to deliver speeds of at least 10/1 Mbps. It is also my understanding that in order to be eligible for CAF-II funds, service providers will be required to build out broadband services to 40 percent of funded locations by the end of 2017, 60 percent by end of 2018, and 100 percent by the end of 2020, and such buildout must meet the speed requirements referred to above. Is there a deadline by which Windstream must be in full compliance of the speed requirements, specifically in the counties that comprise the Ninth Congressional District of Georgia?

It is also my understanding that Windstream has told the FCC on multiple occasions prior to their decision to accept CAF-II funds that they had concerns about their ability to meet the speed requirement. I am very concerned that Windstream inappropriately accepted the CAF-II funds with full knowledge they would not be able or perhaps willing to fulfill the speed requirements. I respectfully request that you provide information on the FCC oversight mechanisms in place to ensure Windstream is consistently meeting the obligations under the CAF-II program. To your knowledge, are any of the funds that Windstream receives under CAF-II, or any program administered by the FCC, federal dollars? Additionally, has the FCC audited Windstream's performance at any point in which they were recipients of CAF or USF funds administered by the FCC?

Due to the pressing concern this issue poses to my constituents, I ask for a response no later than September 30, 2015. Thank you for your attention to these issues. I appreciate your service to this nation and your responsiveness to Congress.

Sincerely,

A handwritten signature in black ink that reads "Doug Collins". The signature is written in a cursive, flowing style.

Doug Collins
Member of Congress
Ninth Congressional District of Georgia