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pursuant to § 54.1302(a) (the HCLS cap), then each study area's expense adjustment will be reduced by multiplying it by the ratio of the HCLS cap to the aggregate expense adjustments for all study areas.

(2) If the aggregate expense adjustments for all study areas are less than the HCLS cap set pursuant to § 54.1302(a), then the expense adjustments for all study areas pursuant to paragraph (a) of this section shall be recalculated using a cost per loop calculated to produce an aggregate amount equal to the HCLS cap in place of the national average cost per loop.

(c) The expense adjustment calculated pursuant to paragraphs (a) and (b) of this section shall be adjusted each year to reflect changes in the amount of high-cost loop support resulting from adjustments calculated pursuant to § 54.1306(a) made during the previous year. If the resulting amount exceeds the previous year's fund size, the difference will be added to the amount calculated pursuant to paragraphs (a) and (b) of this section for the following year. If the adjustments made during the previous year result in a decrease in the size of the funding requirement, the difference will be subtracted from the amount calculated pursuant to paragraphs (a) and (b) of this section for the following year.

(d) High Cost Loop Support is subject to a reduction as necessary to meet the overall cap on support established by the Commission for support provided pursuant to this subpart and subpart K of this chapter. Reductions shall be implemented as follows:

(1) On May 1 of each year, the Administrator will publish an annual target amount for High-Cost Loop Support in the aggregate. The target amount shall be the forecasted disbursement amount times a reduction factor. The reduction factor shall be the budget amount divided by the total forecasted disbursement amount for both High Cost Loop Support and Broadband Loop Support for recipients in the aggregate. The forecasted disbursement for High Cost Loop Support is the High Cost Loop Support cap determined pursuant to § 54.1302 as reflected in the most recent annual filing pursuant to § 54.1305.

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(2) Each January 1 and July 1, the Administrator shall apply a pro rata reduction to High Cost Loop Support for each recipient of High Cost Loop Support as necessary to achieve the target amount.

(3) This paragraph (d) shall not apply to support provided from July 1, 2017 to June 30, 2018.

[80 FR 4479, Jan. 27, 2015, as amended at 81 FR 24344, Apr. 25, 2016; 83 FR 18965, May 1, 2018; 84 FR 4733, Feb. 19, 2019]

Subpart N—The Digital Opportunity Data Collection

SOURCE: 84 FR 43724, Aug. 22, 2019, unless otherwise noted.

§ 54.1400 Purpose.

The purpose of this subpart is to set out the terms by which facilities-based providers report data to the Universal Service Administrative Company concerning the deployment of fixed broadband connections for use in administration of the Universal Service program and related matters.

§ 54.1401 Frequency of reports.

Entities subject to the provisions of this subpart shall file initial reports pursuant to the Digital Opportunity Data Collection within six months after the Office of Economics and Analytics issues a public notice announcing the availability of the new Digital Opportunity Data Collection platform. Thereafter, Digital Opportunity Data Collection filers must submit updates within six months of completing any new, or discontinuing existing, fixed broadband deployments; acquiring new, or selling existing, network facilities that have fixed broadband connections; or changing existing offerings that change the data submitted on their current Digital Opportunity Data Collection filing. Entities that become subject to the provisions of this subpart for the first time after the initial filing deadline shall file their initial reports within six months after they become eligible and shall report data for that initial period. All eligible entities must file a certification once per year on or before June 30th that as of December 31st of the previous year all

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of the filers' data continues to be accurate, subject to any updates made by the filer through June 30th of that calendar year.

EFFECTIVE DATE NOTE: At 84 FR 43724, Aug 22, 2019, § 54.1401 was added. However, the effective date of this section has been delayed.

§ 54.1402 Scope and content of filed reports.

(a)(1) *Definitions.* The definitions in § 1.7001(a) of this chapter apply to terms used in this subpart.

(2) *Fixed broadband connection.* A broadband connection that cannot be used to provide a mobile service (as defined in 47 U.S.C. 153(33)) and does not terminate to mobile stations (as defined in 47 U.S.C. 153(34)).

(b) All facilities-based providers of fixed broadband connections shall file with USAC, pursuant to the timetable in § 54.1401 of this subpart, a completed filing as part of the Digital Opportunity Data Collection in accordance with the rules of the Commission and the instructions to the Digital Opportunity Data Collection.

(c) All filers in the Digital Opportunity Data Collection shall include in each report a certification signed by an appropriate official of the filer (as specified in the Digital Opportunity Data Collection's instructions) and shall report the title of their certifying official.

(d)(1) All data contained in Digital Opportunity Data Collection filings will be routinely available for public disclosure, except for emergency operations contact information and other information that should not be routinely available for public inspection pursuant to § 0.457 of this chapter.

(2) Filers seeking confidential treatment of any data contained in the Digital Opportunity Data Collection must submit a request that the data be treated as confidential with the submission of their filing, along with their reasons for withholding the information from the public, pursuant to § 0.459 of this chapter.

(3) The Commission shall make all decisions regarding non-disclosure of confidential information.

(e) Filers shall file a revised version of their Digital Opportunity Data Col-

lection filing if they discover a significant reporting error in their data.

(f) Failure to file in the Digital Opportunity Data Collection in accordance with the Commission's rules and the instructions to the Digital Opportunity Data Collection may lead to enforcement action pursuant to the Act and any other applicable law.

EFFECTIVE DATE NOTE: At 84 FR 43724, Aug 22, 2019, § 54.1402 was added. However paragraphs (b), (c), (d)(2) and (e) were delayed. The effective date will be announced at a later date.

§ 54.1403 Authority to update the Digital Opportunity Data Collection.

The Office of Economics and Analytics, in consultation with the Wireline Competition Bureau, the Wireless Telecommunications Bureau, and the International Bureau, may update the fixed broadband technologies reported in the Digital Opportunity Data Collection as necessary to reflect changes over time in technology, and the Office may implement any technical improvements, changes to the format and type of data submitted, or other clarifications to the Digital Opportunity Data Collection and its instructions.

Subpart O—Uniendo a Puerto Rico Fund and Connect USVI Fund

SOURCE: 84 FR 59963, Nov. 7, 2019, unless otherwise noted.

§ 54.1501 Uniendo a Puerto Rico Fund and Connect USVI Fund—Stage 2 for service to fixed locations.

The Commission will use a competitive application process to determine the recipients of high-cost universal service support for offering voice and broadband service to fixed locations, and the amount of support that they may receive from Stage 2 of the fixed Uniendo a Puerto Rico Fund and of the fixed Connect USVI Fund for specific geographic areas in Puerto Rico and the U.S. Virgin Islands, respectively, subject to applicable procedures following the selection of competitive applications.