In the Matter of )
Technology Transition Policy )
Task Force )
GN Docket No. 13-5

REPLY COMMENTS OF COMPTEL

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# TABLE OF CONTENTS

Introduction and Summary........................................................................................................................................1

Comments Confirm TAC Finding that Policy and Commercial Considerations – Not Technical Issues - Are Delaying VoIP Interconnection ..................................................................................................................2

Logical Networks and Interconnection for Managed VoIP is Distinguishable from that for Internet traffic ............................................................................................................................................................7

The IP Transition Should Progress from the Network Core outward to the Network Edge.................................9

Customers’ Services Must be Protected; including Wholesale Customers’ Ability to Serve End-use Customers (last mile access)........................................................................................................................................10

The Task Force Should Not Conduct Lifeline Trials..................................................................................................13

Conclusion..................................................................................................................................................................16
In the Matter of Technology Transition Policy Task Force GN Docket No. 13-5

REPLY COMMENTS OF COMPTEL

COMPTEL respectfully submits these reply comments, pursuant to the Federal Communications Commission’s (“Commission”) Public Notice (DA 13-1016) (“Notice”).

Introduction and Summary

The initial comments in the above-referenced proceeding provide substantial support for the fact that a technical VoIP trial, as proposed by the staff, is not necessary. VoIP interconnection is technically feasible, already occurring in some segments of the industry, and would be widespread but for the ILECs which are delaying the transition. In this proceeding (as well as the USF/ICC Transformation proceeding) representatives of virtually all segments of the industry are overwhelmingly calling on the Commission to confirm VoIP interconnection rights and obligations pursuant to the Act. Confirming these rights and obligations in its USF/ICC Transformation proceeding should be the priority, as it will speed the transition.

Contrary to the claims of some, the logical networks and type of interconnection for managed VoIP is, and will continue to be, different than that for Internet traffic. The

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Commission should also recognize that the transition to IP will be most efficient and effective if it continues from the core of the network outward to the consumer. In other words, there needs to be widespread VoIP interconnection prior to any forced transition of end-use customers to VoIP services through a trial or permanently (if that is ever necessary or appropriate).

Moreover, the trials proposal for a transition in medium (copper to fiber and wireline to wireless) fail to demonstrate that the services consumers expect and rely on will be protected; including wholesale customers’ ability to serve end-use customers (last mile access). Finally, the Commission should continue to implement its lifeline reforms, rather than conduct a Lifeline trial.

Comments Confirm TAC Finding that Policy and Commercial Considerations – Not Technical Issues – Are Delaying VoIP Interconnection

As COMPTEL addressed in its initial comments, the technical feasibility of VoIP interconnection is well established and there is no need for a trial to substantiate this undisputed fact. The cable associations, wireless providers, and other competitive providers all confirm that IP interconnection for the exchange of VoIP traffic is technically feasible, and to some extent already taking place. As NTCA states, “it is clear that the issue of interconnection for the

\[ See \] COMPTEL at 24-5 and Attachment A.

\[ NCTA \] at 2 (“[T]hese trials are not a test of whether it is technically feasible to exchange IP-based voice traffic. Many companies, including AT&T and other ILECs, already exchange some types of voice traffic in IP format and there is no doubt that it is technically feasible.”) American Cable Association at 6 (“ACA submits that from the perspective of cable operators, [technical issues associated with VoIP interconnection] are largely settled and trials are not warranted.”); Sprint at 5 (“Sprint currently has IP interconnection agreements with 12 major carriers, and Sprint currently exchanges tens of billions of minutes of voice traffic in IP format annually.”); T-Mobile at 2 (“[M]any carriers, including T-Mobile, have long been interconnecting in IP format, including for the exchange of voice traffic.”); XO Communications at 8 (“XO and other competitive providers have considerable experience with such arrangements…trials are not necessary to evaluate the basic technical feasibility of such interconnection.”); Matrix Telecom at 5 (“The record … indicates that a technical trial is not necessary for IP interconnection.
exchange of VoIP traffic between carriers has moved beyond basic questions of technical or practical feasibility.”

Even the Commission’s Technology Advisory Council’s Working Group on VoIP Interconnection (“TAC”) recognized that it was commercial and policy considerations - not technical issues - that are delaying the expansion of VoIP interconnection in the U.S. (as compared to the rest of the world). The TAC found that “the process, specifications and technology for successful [VoIP] interconnection is fairly mature.” However, because the U.S. marketplace doesn’t reflect this for VoIP interconnection, it recommended that the Commission answer the critical question of whether Section 251 applies to VoIP interconnection.

In order for the benefits of VoIP interconnection to be realized and more widespread, as we explained more fully in our initial comments, VoIP interconnection needs to occur with the carriers that serve the largest share of PSTN subscribers and, therefore, are the largest traffic exchange partners for competitive carriers – the RBOCs. While CLECs and cable companies

Numerous carriers have already stated that they have agreements with other carriers to govern the exchange of voice traffic in IP.

NTCA at 5.

Federal Communications Commission Technical Advisory Council, TAC Memo – VoIP Interconnection, at 1-2 (Sept. 24, 2012) (“As a working group, we have posited that delays in VoIP Interconnection are largely due to policy and commercial issues, not technology issues... VoIP Interconnect is happening all over the world, at a rapid rate. VoIP Interconnection is growing in the USA due to efforts by MSOs and CLECs. This reinforces the point that deployment is technically feasible today but is largely being delayed due to commercial and policy considerations.”)

Id.

Id. at 2-3 (“The FCC has established a significant record on this issue in response to the further notice. The FCC should answer the critical question of whether section 251 requirement apply to VoIP interconnection.”)

As COMPTEL explained, the primary driver to investing in IP interconnection capabilities is the ability to spread capital costs over the largest possible traffic volumes, which are
have been at the forefront of the IP transition, as Sprint notes, the major ILECs know how to interconnect via IP as they “do it routinely with their own affiliates to serve their own retail customers.” As a result, they have facilities in their network capable of supporting VoIP interconnection.

The comments overwhelming demonstrate that the delay in widespread VoIP interconnection falls squarely with the refusal of the major ILECs to enter into interconnection agreements (or amend existing ICAs) to address VoIP interconnection in accordance with the interconnection provisions of the Act. Cable operators, wireless companies, CLECs, unquestionably found on the interconnection facilities with the ILECs and, in particular, the largest ILECs (the RBOCs). COMPTEL at 17.

9 AT&T, Verizon and CenturyLink serve 51% of the total retail switched access lines and VoIP subscriptions connections. If the “PSTN” is defined to include mobile subscriptions, AT&T and Verizon (including their mobile affiliates), as well as CenturyLink, serve 61% of the total connections. See COMPTEL at fn. 49.

10 Sprint at 6.

11 See COMPTEL, Attachment A, pp. 3-4.

12 Matrix Telecom at 5 (“Specifically, the remaining impediment is the refusal of the RBOCs to negotiate agreements for IP interconnection pursuant to the framework of sections 251 and 252 of the Act.”); Peerless Networks at 6 (“Competitive carriers have difficulty only with directly connecting in IP format with ILECs and their affiliates.”) emphasis added; Sprint at 7 (“The fact that Sprint has yet to obtain IP-to-IP interconnection for voice traffic from any of the major ILECs is evidence of their unwillingness to comply with their obligations under the Act.”); Bullseye Telecom and Access Point (“Bullseye Telecom et al”) at 12 (“The impediment remains the refusal of the RBOCs to negotiate IP agreements under the framework of Sections 251 and 252 of the Act.”); XO Communications at 8 (“Managed IP interconnection is far from ubiquitous at this time, in part because most ILECs refuse to abide by interconnection obligations under Section 251 of [the Act], to exchange IP-based voice traffic with requesting carriers.”); T-Mobile at (“For T-Mobile [VoIP Interconnection] is typically with wireless carriers, cable operators, and [CLECs] rather than [ILECs] with whom, in T-Mobile’s experience, it has been exceedingly difficult to negotiate IP interconnection agreements.”); Cablevision at 2 (While Cablevision has successfully negotiated IP interconnection agreements with competitive providers and IXCs, it has been unable to obtain IP interconnection from the ILECs.)
Rural ILECs, State Commissions, and consumer groups here again, as they have in multiple other proceedings, are asking the Commission to address this issue by confirming – in no  

13 American Cable Association at 5 (“The Commission should act now to affirm that regardless of technology all interconnection for the exchange of traffic is governed by sections 251 and 252 of the Act.”); Cablevision at 2 and 6 (The Commission must clarify the legal regime governing IP interconnection, for which Cablevision believes the Section 251/252 framework applies.)  

14 Sprint at 12 (“The Commission should reaffirm that all Section 251 and 252 obligations extend to the exchange of traffic [via] IP interconnection.”); T-Mobile at 7-10 and (“The record developed in response to the AT&T and NTCA IP transition petitions demonstrate why carriers’ negotiations toward IP interconnection agreements must occur with a clearly defined regulatory backdrop…T-Mobile previously demonstrated that the Commission has authority to oversee IP interconnection under Sections 251, 252 and other provisions of the Act.”)  

15 Joint Comments of Cbeyond, Earthlink, Integra, Level 3 and tw telecom (“Cbeyond et al”) at 12 (“The Commission’s first priority should be clarifying the [ILECs] must provide VoIP interconnection under Section 251(c)...”); XO Communications at iii (“[T]he Commission should continue to apply both its unbundling and interconnection rules to [ILECs], modernizing those regulations as appropriate.’’); Bullseye Telecom et al at 13 (If the Commission conducts a trial, “it must be conducted under the section 251/252 framework.”); Matrix Telecom at 5 (“Every sector of the industry, including many ILECs, has offered support for mandatory IP interconnection. The issue to be addressed is regulatory...[specifically,] the RBOCs refusal to negotiate agreements for IP interconnection pursuant to the framework of sections 251 and 252 of the Act.”); Hypercube Telecom at 23 (“Section 251/252 Interconnection Obligations Are the Framework for IP-IP Interconnection.”); Granite Communications at 10 (“Agreements for the exchange of IP traffic should be subject to the same requirements under Sections 251 and 252 as are agreements for the exchange of TDM traffic.”)  

16 NTCA at 6.  

17 Michigan Public Service Commission (“MPSC”) at 3 (“The MPSC also supports the application of Sections 251 and 252 of the Act regardless of the technology used to interconnect carriers’ networks.”); Minnesota PUC/DOC at 3 (“When the FCC characterizes VoIP as an information service, consumers can be negatively impacted.”); California PUC/People of the State of California (“CPUC”) at 2 and 11 (Like many commenters [] CPUC believes that the FCC must address an array of legal/regulatory questions…As early as 2004, the CPUC urged the Commission to exercise its authority under Title II over voice-grade telephony service over IP…to ensure that the fundamental policy objectives of the Act are realized.”)  

18 AARP at 15 (“AARP believes that the Commission should clarify that under the 1996 Act, ILECs must enter into negotiations for managed IP interconnection arrangements upon request, subject to State arbitration when the parties cannot reach agreement within the timeframes set
uncertain terms – that Sections 251 and 252 of the Act apply to VoIP interconnection. As Peerless Network states: “Such a Commission declaration would do more to facilitate a transition to all-IP networks than VoIP Interconnection trials.”\(^{19}\) COMPTEL cannot agree more, and it should be the priority of the Commission to resolve this matter to encourage the IP transition in its pending USF/ICC Transformation proceeding.

Comcast and Verizon express fear of what they refer to as “prescriptive regulation” that could dictate a one-size-fits-all approach to VoIP interconnection.\(^{20}\) The interconnection provisions of the Act, however, do not prevent carriers from negotiating individualized interconnection agreements that “reflect the parties’ unique technological, geographic, and economic needs.”\(^{21}\) As NTCA states, “Sections 251 and 252 of the Communications Act are not impediments to negotiated agreements for the exchange of VoIP traffic. Indeed, these provisions provide carriers with the flexibility to pursue market solutions to interconnection issues, with a “regulatory backstop” to ensure that consumers’ connectivity is not lost in the event that an agreement cannot be reached.”\(^{22}\) Technological advancements should bring benefits to consumers - such as an increase in performance, reliability and security - not cause them to lose connectivity or limit their competitive choices in providers.\(^{23}\)

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\(^{19}\) Peerless Networks at 1.

\(^{20}\) Comcast at 6; Verizon at 3.

\(^{21}\) See Comcast at 4.

\(^{22}\) NTCA at 6.
Logical Networks and Interconnection for Managed VoIP is Distinguishable from that for Internet traffic.

While AT&T claims to be correcting a misconception, it seems to be the source of its own confusion by stating that “when the IP transition is complete, there no longer should be two sets of physical networks and interconnection points for IP-enabled traffic.” The reality is that the same physical facilities already can support various types of logical networks. This is not a concept novel to the IP transition. Obviously, one of the major attributes, and the primary source of beneficial economic and operational improvements gained through the use of IP technology is the ability to share the same physical facilities (i.e. fiber, copper, poles, conduit, etc.) among separate, isolated logical networks in a highly efficient manner. These logical networks include unmanaged networks such as the Internet, as well as managed IP networks such as AT&T’s own U-verse Voice and U-verse TV networks.

The important distinction is that, while all three of these logical networks can share the same physical facilities, they do not conflict with one another. Therefore, security and performance guarantees can be engineered separately, for each logical network. That is, the Internet can be administered by AT&T in a “best efforts” manner, where performance and security are not guaranteed; the U-verse Voice logical network can be administered in a way that

23 Additionally, in the absence of current interconnection obligations under the Act, an RBOC may decide that any competitive provider seeking such an agreement must pay for the service performance guarantees now assumed in a PSTN interconnection arrangement, while refusing to pay for reciprocal treatment of the exchanged traffic originated by RBOC subscribers. Moreover, section 252 opt-in rights prevent discrimination and the unnecessary transaction cost of needless negotiation where there is already an acceptable contract available (but hidden by the absence of public disclosure, as would be required under section 252.) These issues only begin to scratch the surface of why interconnection obligations under the Act must be preserved if we are to maintain the ubiquity, quality, and resiliency of the PSTN as a least-common denominator, post-transition to IP.

24 AT&T 21-2.
provides the quality, resiliency and security the PSTN services have always enjoyed; and, the U-verse TV logical network can be separately administered in such a way as to provide optimum quality for broadcast content, as would be applicable to such service.

These are not simply three applications sharing the same “pipe” (such as when you have various applications riding the Internet). These are three distinctly separate logical networks unaware of the existence of, and incapable of interacting with each other. Insinuating that logical networks are rendered “the same” simply because they share the same physical network facilities is either naïve or misleading. The PSTN transition to IP must include the differentiation that AT&T already acknowledges in providing its own U-verse Voice product – that the logical network supporting its product is fully isolated from the Internet, and actively managed to provide the security and performance guarantees made possible only with the use of managed IP networks.

This is also why Comcast’s concern regarding the Commission’s ability to “draw firm lines between interconnection for IP voice and the diverse arrangements that have evolved for the exchange of other Internet traffic” is unfounded.\(^\text{25}\) As an initial matter, it is unclear if by “IP voice” Comcast is only referring to over-the-top voice services. Managed VoIP services – the services for which parties are seeking Commission confirmation of the interconnection obligation/rights under the Act - is not Internet traffic. Interconnection for over-the-top providers is not the same as interconnection for facilities-based managed-network providers that, to maintain end-to-end quality, will require the parties to negotiate service level parameters (such as, for instance, latency, jitter, packet loss, or minimum MOS scores). While these parameters are not under the control of OTT providers, facilities-based managed-network providers can

\(^{25}\) Comcast at ftn. 4.
design networks to support service level performance requirements. This is also true for
resiliency, in terms of redundant routes and bandwidth capacity on an end-to-end basis. So not
only can the distinction be drawn, it needs to be drawn.

As stated above, the concept that shared physical facilities should support multiple
logical networks is not new. For instance, virtual corporate networks (such as AT&T's SDN
service) defined logical networks that were closed to the public (although they may have
interconnected for ingress and egress), but which shared the same facilities as the public phone
network. While IP technology enables more efficient sharing, the concept of defining
independent logical networks on shared facilities has existed for decades and is common in both
TDM and IP architectures.

The IP Transition Should Progress from the Network Core outward to the Network
Edge

AT&T takes the view that the Commission, through all-IP geographic trials, should
facilitate the transitioning of its customer-base from their existing services to next generation
alternatives of AT&T’s choosing, and that this mandatory customer service migration should
occur prior to the industry transitioning the network core from TDM to IP interconnection.
AT&T claims that “until certain technical issues common to the industry (such as the
development of the ENUM numbering database) are resolved, there will be no destination
architecture for IP-to-IP interconnection…” To the contrary, as we discussed in our initial
comments, existing numbering databases support VoIP interconnection and, since VoIP

26 AT&T at 7 and 17-8 (The “Commission cannot allow a small minority of consumers to hold
back progress…[A]ny trial designed to test the TDM-to-IP transition must allow for the
mandatory migration where next-generation, wireless IP products are the only option…”)

27 Id. at 7.
interconnection is the least complex and offers the most benefits, the transition should continue from the network core (interconnection) outward to the network edge (subscriber services).\textsuperscript{29}

It is unnecessary (and may be imprudent) to implement a plan whereby the transition of the PSTN to IP is tied to subscriber adoption of the new technology. Clearly, enormous value is now held hostage by the TDM interconnections which dominate the PSTN. Competitive carriers must interconnect with ILECs, for example, at every Access Tandem in every LATA in which they operate. In addition to offering the greatest efficiencies, the transition at the core remains the easiest to implement and the easiest to control. Within the core of service provider networks a limited set of common technologies is deployed using network design strategies meant to take advantage of scale economies. Network design complexity increases, however, as one moves from the core of the network to the network edge. This is because there are multiple technologies deployed at the edge to maximize the service choices and, therefore, the number of addressable subscribers.\textsuperscript{30}

\textbf{Customers’ Services Must be Protected; including Wholesale Customers’ Ability to Serve End-use Customers (last mile access).}

The proponents of trials of a transition in medium (copper to fiber; wireline to wireless) fail to fully explain and demonstrate how services customers expect and rely on will be protected, including wholesale customers’ ability to serve end-user customers (last mile access).

\textsuperscript{28} COMPTEL, Attachment B, pp. 6-9.

\textsuperscript{29} See COMPTEL, Attachment B, pp. 3-6.

\textsuperscript{30} Voice technologies such as ISDN-PRI, ISDN-BRI, Centrex, Private Branch eXchange and access technologies such as Digital Subscriber Line in its many forms (xDSL), forms of Passive Optical Networking (xPON), Active Ethernet-over-Copper and Active Ethernet-over-Fiber are but a few examples of edge technologies that require a different engineering design and therefore, combined, represent a much higher degree of complexity when implementing a systemic PSTN transition. COMPTEL, Attachment B, p. 4.
For example, AT&T proposes an all-IP wire center trial where some customers in the trial area would only have the option of purchasing wireless LTE IP services.\(^3\) AT&T provides no explanation as to how certain end-user functionality will be maintained, or how competitive providers that lease last mile copper facilities from the ILEC will continue to serve their customers.

One need only to look at the real-life experience in Fire Island, where Verizon replaced copper facilities with its wireless “Voice Link” product, to identify numerous, sometimes life threatening, issues that such a transition can produce,\(^3\) and this example does not even contemplate the issues posed by a full array of business subscribers that would be found in a more populous/urban geographic area.\(^3\) Additionally, Verizon’s replacement of copper with fiber in lower Manhattan highlights the impact such replacement has on the competitive

\(^3\) AT&T would also choose whether customers in a region are served via wireline or wireless. This may reflect its future plans, but it would also allow it to put customers needing more complex/sophisticated services (e.g., business customers) on wireline service, making the trial seem more successful than it actually is or would be, if extended more broadly. Moreover, this is not necessarily reflective of what will occur, post-trial in the marketplace, when it is no longer participating in a trial being conducted under the Commission’s scrutiny.

\(^3\) See Public Knowledge at 2 and 11-5; see also, NYPSC at 3 (discussing concerns with availability of adequate capacity, weather factors, and sufficient network-powering characteristics.); see also, AARP at 24-6 (discussing the fact that the wireless Verizon and AT&T wireless offerings provide limited functionality as compared with wireline services); See also, DoD/FEA at 3-4 (describing critical services that may not be suitable or available in a wireless-only alternative).

\(^3\) See Bullseye Telecom et al at 10 (“Business customers also obtain services that are markedly different from residential services and have different features. For example, business customers [rely] on sophisticated features that are not typically part of residential offerings, such as message waiting, hunting, hold, and Centrex features. Business customers also rely on more dedicated customer support functions.”) Compare, however, with the business customers on Fire Island that no longer have the reliability and capability to run credit card transactions or obtain comparable service. See, e.g., COMPTEL Comments, Section 63.71 Application of Verizon New York Inc. and Verizon New Jersey Inc., WC Docket Nos. 13-149 and 13-150, Comp Pol. File Nos. 1112-1115, p. 11 (filed Jul. 29, 2013)(“COMPTEL FireIsland Comments”).
providers that were using copper loops to provide competitive services such as DSL, Ethernet over Copper and other high speed, high capacity services to business customers that cannot be provided over the replacement fiber facilities as a result of the Commission’s regulatory policies/decisions.\textsuperscript{34} There should be a proposed solution to these known issues, which will continue to promote competition, prior to conducting any trial.\textsuperscript{35}

Undeniably, the comments provide further support for addressing the myriad of problems arising from the decommissioning of copper facilities given the Commission’s existing rules limiting competitors’ access to alternative ILEC facilities. As others have commented, a customer may not be able to continue to use its chosen carrier if the ILEC “retires” the network facility currently used by the competitor to serve the customer.\textsuperscript{36} If competitors lose last mile access, by allowing ILECs to decommission the copper loop and by continuing with rules governing packetized facilities that ignore modern reality, a substantial number of businesses (in particular, small /medium size and multi-location businesses) are likely to lose their existing

\textsuperscript{34} See COMPTEL Fire Island Comment at 3-6.

\textsuperscript{35} AT&T notes that it would not switch customers with identified issues until there is a solution. AT&T, n. 21. But one has to ask, what is the point of conducting a trial until there is a solution to test? As for copper alternative, there is no reason that equivalent services could not be competitively provided if a wholesale bit-stream offering, similar to NECA Tariff #5, were made available by the RBOCs.

\textsuperscript{36} See Matrix at 3; See also, CPUC at 10 (“Many CLEC s are dependent on the ILECs’ copper to deliver their services. The policy issues regarding CLEC access to ILEC fiber facilities should be addressed before any such trial is undertaken.”); See also, Bullseye Telecom \textit{et al} at 8(“[T]he Notice’s discussion of the wireless trial is disturbingly devoid of any substantive discussion regarding how customers service by competitors will be treated during the course of the trial…numerous companies rely on the ILEC last-mile facilities for providing their services.”); \textit{See also} XO Communications at 17-8.
broadband service and be left with only one choice in service provider – the ILEC.\(^{37}\) COMPTEL has previously demonstrated that small, rural LECs (through NECA Tariff # 5) provide a modern access connection that is far more robust, and far less expensive, than AT&T’s offerings.\(^{38}\) The Commission should amend its rules/Orders to bring the nation’s largest ILECs into the 21st century access market. As we have previously stated: a pro-competitive modern last mile access policy would dramatically lower costs, increase service offerings and provide immense benefits to small and medium business customers.\(^{39}\)

**The Task Force Should Not Conduct Lifeline Trials**

In the Public Notice, the Commission asked whether it should conduct trials that focus on improving access to communications services for low-income consumers, collecting data to improve the Lifeline program and/or testing the “appropriate monthly support amount for Lifeline voice service to better gauge the appropriate price point both for consumers and carriers.”\(^{40}\) The Commission is already addressing these issues in the Lifeline proceeding.\(^{41}\) Rather than duplicate efforts by simultaneously considering the same matters in this docket, the

\(^{37}\) See U.S. Telepacific Communications at 2 (“CLECs have extensively begun to use techniques for provisioning economical high-speed broadband over copper and CLECs’ continuing ability to provide high-speed broadband over copper is the key to assuring choice in broadband for small and medium-sized businesses for the foreseeable future.”); Cable is not fully built out, but even a duopoly is not ideal for consumers.

\(^{38}\) Comments of COMPTEL, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition et al, GN Docket No. 12-353, pp. 11-6 (filed Jan. 28, 2013).

\(^{39}\) Id. at 16.

\(^{40}\) Public Notice at 11-12.

Commission should target its Lifeline resources to providing access to the National Lifeline Accountability Database, establishing an eligibility database and otherwise completing its implementation of the reforms already voted in the Lifeline rulemaking as soon as possible.

COMPTEL strongly disagrees with AT&T’s proposal that the Commission retain a vendor to survey all low-income/Lifeline eligible consumers to obtain data regarding their communications needs and preferences. As a preliminary matter, the Commission is already in the process of gathering data on the communications needs and preferences of low-income consumers who volunteered to participate in the broadband adoption Lifeline pilot program. The eligible telecommunications carriers (ETCs) that are providing the service are required to gather and share robust data on the conduct and results of the pilot. Such data will provide the Commission with far more useful information about the communications needs and preferences of low-income consumers than will that which AT&T proposes to have the Commission develop through surveys. It would be distracting and duplicative to conduct an independent data gathering effort in this docket.

Moreover, the information that AT&T urges the Commission to solicit from low-income consumers is very personal – e.g., information regarding how they use their Lifeline services, why they opt not to obtain Lifeline service, the number of communications devices in their households, the average usage for all of the household’s voice devices, and the average amount they pay each month for communications services. AT&T proposes that the Commission obtain this information from all low-income consumers, regardless of whether they subscribe to Lifeline

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42 Comments of AT&T at 34-36.

service or not. Not surprisingly, AT&T cites no statutory or regulatory provision that would authorize the Commission to mine such data from all low-income consumers nor is there any. The Commission should reject AT&T’s low-income consumer data collection proposal.

COMPTEL also disagrees with AT&T’s proposal to conduct a “limited trial on the use of electronic vouchers” to obtain Lifeline services. Pursuant to AT&T’s proposal, an unidentified government agency or its vendor would determine a consumer’s eligibility for Lifeline service and “then it or some other authority (e.g., USAC) would provide qualified consumers with the e-voucher” which the consumer would then present to any participating service provider to obtain Lifeline service. According to AT&T, such a trial would enable the Commission to evaluate certain reforms it has proposed such as the “participation of non-ETCs in the Lifeline program . . . and whether relying on public entities or their vendors to determine program eligibility reduces errors and fraud.”

It is not at all clear what, if any, purpose would be served by diverting Commission resources away from the development of the National Accountability Database and the Eligibility Database to conduct AT&T’s ill-defined trial or how such diversion would serve the public interest. AT&T’s apparent wish to be taken out of the eligibility determination process for its Lifeline customers will be realized when the databases are up, running and available for

44 Comments of AT&T at 34-36. In contrast, the participants in the broadband pilot program are required to consent to the collection and sharing of the information reported as a condition of receiving subsidized broadband service.

45 Id. at 36-37.

46 AT&T contends that consumers should be able to obtain Lifeline service from any carrier, “regardless of whether the provider is an ETC.” Id. at 36.

47 Id.

48 Id.
use by Lifeline service providers and there is no need to impede progress on those initiatives by conducting a trial in which non-ETCs will provide Lifeline service in exchange for e-vouchers to be issued by a yet-to-be-identified government agency or USAC. Accordingly, the Commission should move forward with implementing its Lifeline reforms in the Lifeline docket.

**Conclusion**

For the foregoing reasons, the Commission should not initiate an interconnection trial. Rather, the Commission should move forward by confirming the interconnection rights and obligations under the Act with regard to VoIP interconnection in the USF/ICC Transformation proceeding and by implementing its Lifeline reform in the Lifeline docket, and not delay such actions with trials. The comments confirm the FCC TAC’s finding that it is policy and commercial considerations – not technical issues – that are delaying VoIP interconnection.

The Commission should ensure widespread VoIP interconnection (i.e., VoIP ICAs between competitors and the ILECs) prior to facilitating mass end-use customer transitions to VoIP services. The logical networks providing managed VoIP are separate from the logical network for Internet traffic; not only can a distinction between interconnection for managed VoIP and the diverse arrangements for Internet be made, such distinctions must be made.

As the transition evolves, the Commission must also make certain the choice in service providers and the services on which consumers expect and rely, including wholesale customers ability to serve end-users (last-mile access), are protected.

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