

**Media Contact:**

Mark Wigfield, (202) 418-0253

[mark.wigfield@fcc.gov](mailto:mark.wigfield@fcc.gov)

**For Immediate Release****FCC Modernizes Rules to Encourage Technology Transitions, Protect Consumers and Competition**

Washington, D.C. (August 6, 2015) – The Federal Communications Commission today took steps to encourage the ongoing transition to next-generation communications networks by giving consumers a larger voice in the process, giving providers the certainty they need to invest, and protecting competition.

For the first time, the item adopted today requires providers to directly notify consumers of plans to retire copper networks at least three months in advance. And it increases the notice period for non-residential retail customers and interconnecting carriers from three months to at least six months.

However, carriers will retain the flexibility to retire their copper networks in favor of fiber without prior Commission approval – as long as no service is discontinued, reduced, or impaired.

When carriers plan to discontinue, reduce, or impair service, Section 214 of the Communications Act requires that they first receive FCC approval. However, the FCC has never codified the criteria used to evaluate and compare replacement and legacy services. In a Further Notice, the Commission tentatively concludes that both consumers and industry would be served by clarifying these standards, and seeks comment on criteria, which include:

- Support for 911 services and call centers
- Network capacity and reliability
- Quality of both voice service and Internet access
- Interoperability with devices and services, such as alarm services and medical monitoring
- Access for people with disabilities, including compatibility with assistive technologies
- Network security in any IP-supported network that is comparable to the legacy network
- Coverage throughout the service area, either by the substitute network or via service from other provider
- Plan for outreach to affected consumers

Finally, the Commission addresses instances in which competitive providers combine their own facilities with the last-mile services of incumbent providers to reach small and medium-sized businesses and institutions, including schools, libraries, health care facilities, and government offices. As incumbent carriers prepare to stop offering some of these services, competitive carriers and the customers that depend on them face uncertainty.

To preserve competition that exists in the marketplace today, the rules adopted today require that replacement services be offered to competitive providers at rates, terms and conditions that are reasonably comparable to those of the legacy services. This is an *interim* measure, pending the completion of the FCC's special access proceeding which is examining these issues more broadly. The item also clarifies that a carrier that plans to discontinue a service that has only carrier customers must still follow the statutory process for discontinuance if the action would negatively impact retail users served by those carrier customers.

The item is available at [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-15-97A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-97A1.pdf).

Action by the Commission, August 6, 2015, by Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking (FCC 15-97). Chairman Wheeler, Commissioners Clyburn and Rosenworcel approving. Commissioners Pai and O'Rielly dissenting. Chairman Wheeler, Commissioners Clyburn, Rosenworcel, Pai and O'Rielly issuing statements.

Docket #: 13-5

###

**Office of Media Relations: (202) 418-0500**  
**TTY: (888) 835-5322**  
**Twitter: @FCC**  
**[www.fcc.gov/office-media-relations](http://www.fcc.gov/office-media-relations)**

*This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).*