



INTERGOVERNMENTAL ADVISORY COMMITTEE
TO THE
FEDERAL COMMUNICATIONS COMMISSION
ADVISORY RECOMMENDATION NUMBER 2013 -5

Response to Technology Transitions Task Force Request for Comments on Potential
Trials of Transitions to Internet Protocol (IP)-Based Networks
GN Docket No. 13-5

Technology transitions of the type and scale contemplated by long standing¹ providers of vital telecommunications services raise serious consumer concerns. Such transitions, including trial transitions that are contemplated by the FCC's recent Public Notice,² unless appropriately monitored and managed, may negatively impact public safety, economic development and consumer affordability of what have become essential services.³ As a first step, the FCC should take steps to define basic or essential services and should in all efforts make sure that, at a minimum, such basic services -- and authority to regulate⁴ such services -- are preserved (or deployed) and at a reasonable cost. Next, service providers should take measured steps, with oversight by the FCC and state, local, and tribal governments in every instance of transition, to ensure that services are not discontinued without proper notification. All transitions should also provide consumers with sufficient time to adapt, education, options, comparable pricing alternatives and at a minimum, comparable services. Furthermore, service providers should not be permitted, in the event of natural or manmade disasters, to impose technologies that provide

¹ In many cases, copper POTS lines have been provided in localities for more than a century.

² Technology Transitions Policy Task Force Seeks Comment on Potential Trials, FCC Public Notice in GN Docket No. 13-5, released May 10, 2013. The Public Notice sought "comment on several potential trials relating to the ongoing transitions from copper to fiber, from wireline to wireless, and from time-division multiplexing (TDM) to [all-Internet Protocol] (IP) [networks]." *Id.*

³ In addition to protecting consumers, state, local and tribal governments are often also customers of technology systems under consideration for transition.

⁴ If broadband and wireless are designated as essential services and come under regulation by the FCC, the FCC may become overwhelmed with complaints. Therefore, the Commission should consider delegating to state, local and tribal governments authority to oversee customer service issues concerning IP services.

any population, over the long term, with lesser levels of service than were provided prior to the event.⁵

The Intergovernmental Advisory Committee (the IAC) offers the following concerns and recommendations regarding technology transitions, including trial transitions:

1. Preservation of Services and Affordability

The IAC recognizes the advantages to be gained in moving forward with new communications technologies. However, the IAC's central concern in any major technology transition is to ensure that every user of a system that is shifted from an existing technology to IP or other technology has the ability to receive a functionally equivalent service or services at a reasonable or comparable rate. For example, any agreement by the Commission to authorize a technology transition pilot should be conditioned on the provider's agreement to offer each user of plain-old-telephone-service (POTS) at an existing price the option to purchase a new technology equivalent of that service (or better), at no more than the same rate. Similarly, any pilot approval should be conditioned on the provider's agreement to offer purchasers of copper-based DSL service the option of receiving, for a rate comparable to what such user is paying today, a comparable level of service (or better) to what the user is currently receiving. In short, technology transition pilots should expand, not contract, customer options.

2. Locality Readiness for Trials

A baseline question is whether any given locality is ready to perform a trial. Transitioning should require enough time to completely prepare a locality--through education and outreach--for all elements of transition so that the experience is seamless and safe. The FCC should choose trial sites based on well-demonstrated consumer readiness, including the feasibility of educating all current and potential consumers. The Commission should also seek local government consent, to ensure municipal participation in consumer outreach efforts. Particular emphasis should be given to readying senior citizens and those with disabilities. In no event should a trial or a transition compromise the access of any population, especially vulnerable populations, to critical services.

Any technology transition or trial should ensure that appropriate planning, education and oversight have been completed. For example, older condominiums and apartment buildings will need to maintain essential phone service for elevators, alarms, security, and other emergency systems. To combat unanticipated problems, during any trial the new IP system should run in parallel with the existing system. This will ensure that when unexpected problems occur

⁵ This should be the case, except where a lesser service is required on a temporary basis for restoration of essential services pursuant to an emergency or disaster. Cf. "Verizon pursues all wireless phone service in seaside N.Y. town,"

http://www.washingtonpost.com/business/technology/verizon-pursues-all-wireless-phone-service-in-seaside-ny-town/2013/07/04/9120fa80-ac4c-11e2-a198-99893f10d6dd_story.html

(article reports consumer complaints about Verizon's plan to terminate copper wireline phone service on Fire Island in the wake of extensive telephone infrastructure damage from Hurricane Sandy), and FCC Public Notice, "Comments Invited on Application of Verizon New Jersey, Inc. and Verizon New York, Inc. to Discontinue Domestic Telecommunications Services," DA 13-1475, rel. June 28, 2013.

customers can be switched back to the old system, if needed, until the problem is resolved. Trial participants must coordinate with localities regarding ordinances and building codes and other matters that may exist related to legacy networks and which may also be applicable to new infrastructure.

3. Public Safety and Network Reliability

All new technologies must maintain system resiliency, especially with respect to power supply. A significant advantage of copper legacy networks is that they are independently powered, separate from the electric power grid and Internet availability. This has historically helped to make them extremely resistant to power outages. One can, in the event of a blackout, call for help on a copper line. This may not be the case with newer technologies once backup batteries are completely discharged. Uninterrupted, resilient, extended-use power for telephone access must be available in the interest of public safety. A potential consideration is whether to include a limited copper element beside fiber lines where separate copper lines will be entirely decommissioned.

Thank you for this opportunity to comment. The IAC has designated committee liaisons to work with the Commission's Technology Transitions Task Force. We additionally recommend that the Technology Transitions Task Force assign a liaison to the IAC, and seek IAC feedback on the status of the transition on a regular basis. In this way, the IAC, the Commission and the Task Force can work closely together to address these and related technology transition issues.

Approved on this 8th day of July, 2013.

INTERGOVERNMENTAL ADVISORY COMMITTEE

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Joyce Dickerson, Chair