

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Ensuring Customer Premises Equipment Backup Power for Continuity of Communications)	PS Docket No. 14-174
Technology Transitions)	GN Docket No. 13-5
Policies and Rules Governing Retirement Of Copper Loops by Incumbent Local Exchange Carriers)	RM-11358
Special Access for Price Cap Local Exchange Carriers)	WC Docket No. 05-25
AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services)	RM-10593

**REPLY OF
THE NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER ADVOCATES,
MAINE OFFICE OF THE PUBLIC ADVOCATE, MARYLAND OFFICE OF THE
PEOPLE’S COUNSEL, AND TURN
TO USTELECOM’S OPPOSITION TO
NTIA’S PETITION FOR RECONSIDERATION**

Pursuant to 47 CFR 1.429(g), the National Association of State Utility Consumer Advocates (“NASUCA”), the Maine Office of the Public Advocate, the Maryland Office of People’s Counsel, and The Utility Reform Network (“TURN”) (collectively, “Consumer Advocates”) reply to the opposition of USTelecom¹ to the National Telecommunications Information Administration’s (“NTIA’s”) petition for reconsideration² of the Voice Replacement

¹ https://ecfsapi.fcc.gov/file/120831590030/Opposition%20to%20NTIA%20PFR_12.08.16_dgh.krs.pdf

² <https://ecfsapi.fcc.gov/file/1012477410931/NTIA%20Pet%20for%20Recon%20101216.pdf>

Order.³

NTIA requested reconsideration of the Voice Replacement Order on behalf of federal agencies because of “the budget and procurement challenges they face and the mission-critical activities they perform for the public benefit.”⁴ USTelecom opposed all of NTIA’s requests without offering any practical safeguards to address NTIA’s concerns.

Consumer Advocates support NTIA’s request for reconsideration of the Voice Replacement Order. Consumer Advocates also filed their own Petition for Reconsideration, explaining that the Commission’s goal to transition the PSTN to IP technologies without a diminution in service quality is in jeopardy.⁵ NTIA’s points reinforce our concerns and merit reconsideration. As such, USTelecom’s opposition should be rejected.

USTelecom fundamentally embraces the Commission’s goals, yet then claims that oversight is unnecessary. For instance, USTelecom claims that “[i]n practice, no provider would jeopardize upsetting or losing a government customer.”⁶ And further:

[Y]ou will likely find no voice service provider that disputes the notion that communication with, notification to, and transparency for its customers are shared goals. After all, these are all hallmarks of a good customer service relationship. Good communication is not only necessary for customers, but is in the best interest of providers who recognize that unsatisfied customers will not likely be happy (or long-term) customers.⁷

³ PS Docket No. 14-174, et al., Declaratory Ruling, Second Report and Order, and Order on Reconsideration, FCC No. 16-90, released on July 15, 2016 and published in the Federal Register on September 12, 2016 (“*Voice Replacement Order*”).³

⁴ NTIA Petition at 2.

⁵ Consumer Advocates sought reconsideration of the “technical guidance” in Appendix B of the Voice Replacement Order, which is inconsistent with the adopted rules and does not achieve the Commission’s objective that technology transitions result in consumers receiving service with comparable service quality and performance to that provided over the Public Switched Telephone Network. Given the absence of any opposition, Consumer Advocates urge the Commission to grant their Petition and take a fresh look at the standards needed to protect consumers. The NTIA’s requests could easily be addressed within the revised standards recommended by our Petition.

⁶ USTelecom Opposition at 2.

⁷ *Id.* at 5-6.

This is not a question as to whether transparency and quality should be ensured; the only issue is whether the Commission can fully expect that the industry will voluntarily provide a seamless, quality-driven, transition. We fundamentally disagree with USTelecom’s proposition that NTIA’s proposals for protection of consumers – governmental, residential and commercial – will impede the transition.⁸ The clarifications and action sought by NTIA will simply ensure that the transition occurs in an orderly manner, and that the Commission’s core objectives to protect consumers, competition, public safety and universal service are given their appropriate weight. The industry’s interests in saving money through deregulation are only part of the public interest equation. Consumer interests must also be protected.

USTelecom even goes so far as to oppose NTIA’s request for a definition of “legacy voice services.”⁹ USTelecom states, “The term is self-explanatory, and we find it to be sufficiently clear for providers and their customers to determine what services are potentially subject to the new adequate replacement framework.” Contrary to USTelecom’s assertions, legacy voice services are the core of the FCC’s new process, and it is appropriate for that core to be defined.

USTelecom also contends that “[i]t is important to keep the list of enumerated devices narrow to ensure that providers have predictability in planning their service transitions.”¹⁰ Long or short, an official list of low-speed devices to which interoperability requirements apply is necessary and important to consumers. And NTIA raises an important point about the need to expand this list to ensure that the devices currently enumerated can, in fact, continue to function, as the FCC intended.

NTIA’s Petition For Reconsideration should be granted, as should Consumer Advocates’
Petition.

⁸ USTelecom Opposition at 1.

⁹ Id. at 3.

¹⁰ Id. at 4.

Respectfully submitted,

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