Verizon’s Reply Comments

Supporting its Request for Clarification, or in the Alternative, Petition for Waiver of Copper Retirement Notification Rules

The Commission should grant Verizon’s December 15, 2016, Request\(^1\) to clarify that 47 C.F.R. § 51.332(b)(2) and (4) allow a provider to provide interconnecting entities, state public utility commissions, state governors, tribal entities, and the Secretary of Defense with a paper copy of the copper retirement notice and a hyperlink to a searchable online list of addresses or locations in lieu of a paper copy of the address list. In the alternative, the Commission should waive any requirement that these parties be served with a paper address list when providers instead provide a copy of the copper retirement notice and a hyperlink to a searchable online list. Verizon’s Request does not apply to the substance of the notice itself other than the list of addresses, nor does it apply to notices to retail consumers.

Neither the Secretary of Defense nor any interconnecting entity, state public utility commission, state governor, or tribal entity has objected to receiving a hyperlink to an online address list in lieu of receiving a paper copy. This is unsurprising because, as explained in Verizon’s Request, parties would continue to receive a copy of the notice regardless. The only change would be to improve these parties’ access to the information previously provided by offering an electronic, searchable list of locations in lieu of an inefficient and cumbersome paper list. Moreover, Verizon would provide a paper copy of the address list to any recipient who requests one.

Clarifying that providers can include a hyperlink to the address list would also significantly decrease providers’ costs of paper and postage. As explained in the Request, some of Verizon’s September 2016 copper retirement notices contained more than 400 pages of addresses and Verizon in total mailed just under two hundred thousand pages.

The objection filed by Cohen, Dippell and Everist, P.C. (“CDE”) misunderstands Verizon’s petition. CDE states that it wishes to continue to receive notice of copper retirement by mail, asserting that it “do[es] not regularly use other forms of modern communication venues.” But Verizon’s Request does not seek to remove the obligation to provide notice by mail, and does not address notices to retail customers at all. Verizon’s Request relates exclusively to copper retirement notices provided to interconnecting entities, state public utility commissions, state governors, tribal entities, and the Secretary of Defense, and seeks only to provide the list of locations electronically, rather than in a voluminous paper mailing. Since that

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2 See Request at 3-4.
3 See id. at 2-3.
4 See CDE Comments at 2 (January 6, 2017).
5 Or, as permitted in the rules, by e-mail where the customer has previously consented to that form of communication and other conditions are satisfied. See 47 C.F.R. § 51.332(b)(3)(iv) (notice requirements for retail customers).
same list of locations is already available from the FCC, there is no additional privacy or security risk to improving the efficiency and usability of the list for recipients. As a result, CDE has no basis for objecting to Verizon’s Request.

For the reasons stated above and in our Request, the Commission should clarify that its copper retirement rules allow a carrier to provide interconnecting entities, state public utility commissions, state governors, tribal entities, and the Secretary of Defense with a hyperlink to a searchable online list of addresses or locations in lieu of a paper copy of the address list. In the alternative, the Commission should waive its copper retirement rules to the extent necessary to allow a carrier to disclose the copper retirement address list by providing a hyperlink to a searchable online list of addresses or locations in lieu of a paper copy of the address list.

Respectfully submitted,

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