



June 21, 2018

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: *In re Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. §160(c) to Accelerate Investment in Broadband and Next-Generation Networks* (WC Docket No. 18-141)

Dear Ms. Dortch:

USTelecom – The Broadband Association (USTelecom) recently filed a petition asking the Commission to forbear from applying certain regulatory requirements that have been in effect since 1996. Recognizing that removing unbundled network element requirements would affect wholesale customers’ purchasing decisions, we proposed an eighteen-month transition period before any relief granted by the Commission would fully take effect. We have since conducted additional discussions among our member companies that are both major buyers and sellers of unbundled network elements (AT&T, CenturyLink, Frontier, Verizon, and Windstream) to ensure that the elimination of these elements will not harm the ability of customers to get the kind of robust, state-of-the-art communications services they need to operate in an increasingly interconnected world.

Based on these discussions, and with the full support of Windstream, USTelecom urges the Commission to promptly grant our forbearance petition and issue an Order that incorporates the modified transition proposal for unbundled network elements outlined below:

- Set a date certain of February 4, 2021, for full relief from unbundled network element obligations, on which date all unbundled network element mandates and pricing requirements would cease to be in effect.
- No price increases on unbundled network elements could occur before February 4, 2021.
- No requests for new or additional unbundled network elements could be made after the effective date of any Commission Order granting unbundled network element forbearance relief.
- Unbundled network elements ordered prior to the effective date of the Order (“embedded base”) will be provided via current interconnection agreements or other arrangements and subject to this transition. After the effective date of the Order, new orders for service shall be addressed via commercial negotiations or tariffed services where available.

- Wholesale customers may keep in place any of their embedded base along with collocation arrangements necessary for access until February 4, 2021.
- By February 4, 2021, wholesale customers - at the wholesale customers' option - must, without penalty, disconnect or transition their embedded base to alternative facilities or arrangements offering comparable functionality pursuant to rates available via commercial arrangements, price lists, or tariff services, where available.
- The transition is a default process, and carriers remain free to negotiate alternate arrangements superseding the transition.

This proposal reflects the experience and planning of the purchasers and sellers of the great majority of unbundled network elements. It would provide certainty important to service providers and for network planning. Most importantly, this transition framework will ensure customers can transition to new services and new technologies on terms and at the cadence that makes sense for them.

Sincerely,

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