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June 24, 2016

Ex Parte

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

Re: 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)

Dear Ms. Dortch:

On Wednesday, June 22, Katharine R. Saunders and I, of Verizon, met with Daniel Kahn, Carol Mattey, Peter Saharko, and Michele Berlove, all of the Wireline Competition Bureau, to discuss the above captioned proceedings.

We emphasized that Verizon supports the Commission's goal of streamlining the process for obtaining approval to discontinue legacy services in connection with a transition from TDM to IP or wireline to wireless. We reiterated, however, that any new streamlined process should be truly voluntary and not add new regulatory burdens that slow these pro-consumer transitions. Providers should be permitted to continue to use the existing process in all circumstances. We stressed that to the extent the Commission adopts additional criteria for a streamlined process, those criteria should be technology neutral and focused on evaluating the discontinuance of interstate voice services. The result should not be that applications to discontinue outdated or little-used data services are evaluated under a voice-based framework. Noting the Commission's prior rulings revising the copper retirement process, we also encouraged the Commission not to implement certification requirements that could inadvertently undermine the goals of those orders.

We also explained our concerns about the proposed cybersecurity criteria in the streamlined process. As both the Chairman and the National Institute for Standards and Technology have recognized, a one-size-fits-all approach—particularly one involving proscriptive regulations—is not the best way to address cybersecurity concerns.[1] Establishing

[1] Comments of Verizon, *Technology Transitions*, GN Docket No. 13-5 et al., at 17 (Oct. 26, 2015).

cybersecurity guidance on a provider-by-provider or, where discontinuance applications cover a small geographic area, region-by-region basis is unworkable and inefficient.

Finally, we addressed various timing considerations. AT&T has proposed a 2025 sunset date for the interoperability criterion.[2] We explained that although we support sunsetting any interoperability requirement, the proposed nine-year framework may be too long. By way of contrast, we noted that the transition to digital television involved only a four-year sunset period for analog television.[3] We also explained that AT&T's proposed 180-day minimum discontinuance period[4] is substantially longer than under the existing process, where discontinuance applications are deemed granted on the 31st or 60th day after public notice unless the Commission says otherwise.[5] We urged that a streamlined process should not contain longer waiting periods than the existing process and encouraged the use of a shorter timeline. We also reiterated our suggestion that the Commission should adopt timelines for putting out public notices under both the existing and the proposed streamlined discontinuance processes that do not differentiate between dominant and non-dominant providers.

Sincerely,

cc: Daniel Kahn
Carol Mattey
Peter Saharko
Michele Berlove

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[2] Ex Parte Letter from David L. Talbott, AT&T, to Marlene H. Dortch, FCC, *Technology Transitions*, GN Docket No. 13-5 et al., Attachment 1 at 3 (May 31, 2016) ("AT&T Ex Parte").

[3] Digital Television and Public Safety Act of 2005 § 3002(b), Pub. L. No. 109–171, title III, 120 Stat. 4, 21 (2006), *as amended by the* DTV Delay Act § 2, Pub. L. No. 111-4, 123 Stat. 112, 112 (2009).

[4] AT&T Ex Parte, Attachment 1 at 4.

[5] 47 C.F.R. § 63.71(c).