

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

In the Matter of	)	
	)	
Communications Marketplace Report	)	GN Docket No. 18-231
	)	

**COMMENTS OF VERIZON**

William H. Johnson  
*Of Counsel*

Katharine R. Saunders  
Ian J. Dillner  
VERIZON  
1300 I Street NW, Suite 500E  
Washington, DC 20005  
(202) 515-2462

Evan T. Leo  
Michael S. Qin  
KELLOGG, HANSEN, TODD, FIGEL &  
FREDERICK, P.L.L.C.  
1615 M Street NW, Suite 400  
Washington, D.C. 20036  
(202) 326-7900

*Attorneys for Verizon*

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**COMMENTS OF VERIZON<sup>1</sup>**

The Commission’s Communications Marketplace Report should conclude that the broadband marketplace, including fixed and mobile services, is competitive and that broadband is being deployed in a reasonable and timely manner throughout the United States. As Verizon and others have explained in numerous detailed filings, broadband providers’ substantial investments in next-generation fixed and mobile broadband networks have provided U.S. consumers with access to an ever-growing array of innovative and high-quality services.<sup>2</sup> Further, the Commission recently recognized the “intense and growing competition” in the

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<sup>1</sup> The Verizon companies participating in this filing (“Verizon”) are the regulated, wholly-owned subsidiaries of Verizon Communications Inc.

<sup>2</sup> See, e.g., Comments of Verizon, *The State of Mobile Wireless Competition*, WT Docket No. 18-203, at 4-30 (July 26, 2018) (“Verizon Mobile Wireless Competition Comments”); Comments of Verizon, *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 17-199, at 3-9 (Sept. 21, 2017) (“Verizon Thirteenth Section 706 NOI Comments”); Comments of CTIA, *The State of Mobile Wireless Competition*, WT Docket No. 18-203, at 3-42 (July 26, 2018); Comments of Verizon, *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993*, WT Docket No. 17-69, at 8-32 (May 8, 2017); Comments of Verizon, *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps To Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, As Amended by the Broadband Data Improvement Act*, GN Docket No. 15-191, at 3-7, 9 (Sept. 15, 2015).

business data services marketplace, where nearly 500 facilities-based companies now provide business data services.<sup>3</sup>

Thus, the Commission should continue to promote continued broadband investment and innovation. Its report should be careful to consider all types of technology in its assessment, and should not create new or unnecessary reporting requirements. As the Commission goes forward, it should also continue to build on the important steps it has already taken to reduce legacy regulations and restrictions.<sup>4</sup> Among other things, the Commission should continue to take steps to encourage broadband deployment and investment. For example, it should expedite small cell deployment by removing roadblocks to the installation of necessary equipment and facilities, which include fixed broadband. The Commission also should grant USTelecom's petition to forbear from Section 251(c) unbundling and resale requirements and related obligations.<sup>5</sup> Finally, the Commission should be mindful to continue its work to streamline reporting requirements, rather than impose new or burdensome ones. These would provide additional

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<sup>3</sup> See *Business Data Services in an Internet Protocol Environment*, Report and Order, 32 FCC Rcd 3459, ¶¶ 1-2 (2017) ("*Business Data Services Order*").

<sup>4</sup> *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Third Report and Order and Declaratory Ruling, WC Docket No. 17-84 & WT Docket No. 17-79; FCC 18-111 (Aug. 3, 2018) ("*Wireline Broadband Deployment Third R&O*"); *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Second Report and Order, WC Docket No. 17-84, FCC 18-74 (June 8, 2018); *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Second Report and Order, WT Docket No. 17-79, FCC 18-30 (Mar. 30, 2018); *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Report and Order, Declaratory Ruling and Further Notice of Proposed Rulemaking, 32 FCC Rcd 11,128 (2017).

<sup>5</sup> Petition for Forbearance of USTelecom, *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 (May 4, 2018) ("USTelecom Petition").

tools to help address existing gaps in broadband availability while also ensuring that Americans continue to enjoy the benefits of next-generation fixed broadband networks.

## **I. The Commission’s Review Should Consider All Broadband Competition**

As a preliminary matter, although the Public Notice<sup>6</sup> seeks comment on the state of *fixed* broadband competition, the Commission’s statutory obligation is to consider all forms of broadband regardless of technology in compliance with the requirements of the RAY BAUM’S Act of 2018.<sup>7</sup>

The RAY BAUM’S Act requires the Communications Marketplace Report to “assess the state of deployment of communications capabilities, including advanced telecommunications capability . . . , *regardless of the technology used for such deployment.*”<sup>8</sup> The Act explicitly instructs the Commission to “consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.”<sup>9</sup> Thus, while the Public Notice seeks comments only with respect to “fixed broadband competition,”<sup>10</sup> the Commission must instead ensure that its inquiry is broad enough to account

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<sup>6</sup> *Wireline Competition Bureau Seeks Comment on the State of Fixed Broadband Competition*, Public Notice, GN Docket No. 18-231, DA 18-784 (July 27, 2018) (“Public Notice”).

<sup>7</sup> Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Div. P – RAY BAUM’S Act of 2018, 132 Stat. 348, 1080 (2018) (“RAY BAUM’S Act”).

<sup>8</sup> RAY BAUM’S Act § 401, codified at 47 U.S.C. § 163(b)(2) (emphasis added).

<sup>9</sup> *Id.*, codified at 47 U.S.C. § 163(d)(1).

<sup>10</sup> Public Notice at 1 (seeking comment on “analysis of *fixed* broadband competition as required by the RAY BAUM’S Act,” and “on the criteria or metrics that should be used to evaluate the state of *fixed* broadband competition”). The Wireless Telecommunications Bureau separately sought comment on mobile wireless competition, including “the extent of competition between mobile and fixed providers of voice, broadband, and video services.” *Wireless Telecommunications Bureau Seeks Comment on the State of Mobile Wireless Competition*, Public Notice, WT Docket No. 18-203, DA 18-663, at 2 (June 26, 2018).

for broadband deployment overall, as it did in the *Restoring Internet Freedom Order*,<sup>11</sup> and in its *2018 Broadband Deployment Report*,<sup>12</sup> including how consumers may use mobile broadband to supplement or substitute for fixed broadband.<sup>13</sup> For example, any analysis of broadband availability based on the number of providers, such as those found in the Internet Access Report for fixed broadband providers<sup>14</sup> and in the Wireless Competition Report for LTE mobile broadband providers,<sup>15</sup> should reflect the number of fixed and mobile broadband providers (*i.e.*, the number of providers offering some form of broadband, regardless of technology).

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<sup>11</sup> See *Restoring Internet Freedom*, Declaratory Ruling, Report and Order, and Order, 33 FCC Rcd 311, ¶ 22 (2018) (defining “broadband Internet access service” to include “services provided over any technology platform, including but not limited to wire, terrestrial wireless (including fixed and mobile wireless services using licensed or unlicensed spectrum), and satellite”) (*“Restoring Internet Freedom Order”*).

<sup>12</sup> See *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, 2018 Broadband Deployment Report, 33 FCC Rcd 1660, ¶¶ 18 n.39, 56, Table 3c (2018) (finding that both fixed and mobile services “can indeed provide capabilities that satisfy the statutory definition of advanced telecommunications capability under section 706,” and reporting that approximately 99.9 percent of Americans have access to *either* 25 Mbps/3 Mbps fixed *or* 5 Mbps/1 Mbps mobile LTE) (*“2018 Broadband Deployment Report”*). The Commission recently noted that it “continue[s] to believe that ‘any analysis that did not include both [fixed and mobile] services would be incomplete and flawed.’” *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, Fourteenth Broadband Deployment Report Notice of Inquiry, GN Docket No. 18-238, FCC 18-119, ¶ 6, n.16 (Aug. 9, 2018) (citing *2018 Broadband Deployment Report* ¶ 17).

<sup>13</sup> See Verizon Thirteenth Section 706 NOI Comments at 10-12.

<sup>14</sup> See, e.g., Ind. Anal. & Tech. Div., *Internet Access Services: Status as of December 31, 2016*, at 6 & Fig. 4 (WCB Feb. 2018), <https://docs.fcc.gov/public/attachments/DOC-349074A1.pdf> (*“Internet Access Services Status Report”*).

<sup>15</sup> See, e.g., *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993*, Twentieth Report, 32 FCC Rcd 8968, ¶ 77 & Chart III.D.4 (2017).

## **II. The Commission's Report Should Recognize Ongoing Broadband Competition in the United States**

There is abundant evidence that broadband services – both fixed and mobile – are being deployed widely throughout the United States and that competition is fierce for both consumer broadband and business data services.

### **A. Consumer Broadband**

As the Commission is well aware, broadband providers of all types and with all kinds of platforms – traditional telephone companies, cable operators, wireless providers, and satellite providers – have invested heavily to deploy new broadband technologies, such as fiber-to-the-premises, DOCSIS 3.1, 4G LTE wireless services, and next-generation satellite broadband. And currently, Verizon and other wireless providers are deploying the fiber, small cell networks, and spectrum to launch 5G wireless networks beginning this year to offer next-generation broadband connectivity. This massive and ongoing private investment has succeeded in delivering competitive broadband services throughout the country and to all consumers.

According to the Commission's most recent Broadband Deployment Report, at least 95.6 percent of the U.S. population has access to fixed broadband services.<sup>16</sup> The Commission's subscriber data for the same period show that there were approximately 59.5 million residential fixed connections with at least 25 Mbps downstream/3 Mbps upstream, and an additional 18.7 million residential fixed connections with lower speeds, but at least 10 Mbps downstream/1 Mbps upstream.<sup>17</sup> There is no reason to believe that these numbers have declined since the data for this report was collected nearly two years ago; they have likely increased.

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<sup>16</sup> 2018 *Broadband Deployment Report* ¶ 51 (based on 25 Mbps/3 Mbps, including satellite service, as of December 2016).

<sup>17</sup> See *Internet Access Services Status Report*, at 22, Fig. 23 & 20, Fig. 19.

And fixed broadband deployment continues to progress rapidly. Verizon's all-fiber Fios broadband is available to approximately 14.5 million homes.<sup>18</sup> Fios offers symmetrical upload and download broadband speeds, as well as high-quality voice and video services. In April 2017, Verizon began offering near-gigabit speeds to 8 million homes; Fios Gigabit Connection is today available to nearly the entire Fios footprint.<sup>19</sup> Verizon is also now implementing an Intelligent Edge Network architecture, which entails Verizon deploying fiber not just for Fios but also for wireless backhaul and small business and enterprises.<sup>20</sup> This strategy includes investment in NG-PON2, a new access technology that is ten times faster than the technology Verizon uses today.<sup>21</sup>

As deployment of fixed broadband services accelerates, Verizon faces competition nearly everywhere it has deployed wireline broadband. Fios service in particular faces nearly ubiquitous competition from cable providers.<sup>22</sup> And the advanced services that Verizon brings

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<sup>18</sup> Verizon News Release, *Verizon: Technology Leadership and Innovation* (Feb. 16, 2018), <https://www.verizon.com/about/news/verizon-technology-leadership-and-innovation>.

<sup>19</sup> Verizon News Release, *Verizon launches Fios Gigabit Connection service delivering millions of customers the speeds they deserve* (Apr. 24, 2017), <https://www.verizon.com/about/news/verizon-launches-fios-gigabit-connection-service-delivering-millions-customers-speeds-they>; *supra* n.18.

<sup>20</sup> *Verizon Communications Inc at JPMorgan Global Technology, Media and Communications Conference – Final*, FD (Fair Disclosure) Wire (May 16, 2018), <https://www.verizon.com/about/file/27443/download?token=H1oleK6a> (statement by Verizon Communications Inc. Executive VP & CFO Matthew D. Ellis).

<sup>21</sup> *See, e.g.*, Interview by Jeremy Godwin with Lee Hicks, Vice President of Network Planning, Verizon (Apr. 18, 2018), <https://www.verizon.com/about/news/speed-april-18-2018>; Alan Weissberger, *Verizon to Deploy NG-PON2 in Tampa, FL Using Calix Network Equipment*, IEEE Communications Society Technology Blog (Feb. 7, 2018), <http://techblog.comsoc.org/2018/02/07/verizon-to-deploy-ng-pon2-in-tampa-fl-using-calix-gear>.

<sup>22</sup> Andres V. Lerner & Janusz A. Ordovery, *An Economic Analysis of Title II Regulation of Broadband Internet Access Providers* ¶¶ 65-72 (July 17, 2017), attached as Exhibit A to Comments of Verizon, *Restoring Internet Freedom*, WC Docket No. 17-108 (July 17, 2017).



prompts those competitors to upgrade their own facilities and services – those operators have rapidly upgraded their networks with many now offering or planning to offer gigabit service to large percentages of their customer base.<sup>23</sup>

Mobile broadband is even more competitive and ubiquitous. The Commission’s data show that at least 99.6 percent of the U.S. population has access to mobile 4G LTE services.<sup>24</sup> Approximately 99.9 percent has access to either 25 Mbps/3 Mbps fixed broadband service or 5 Mbps/1 Mbps mobile LTE, and at least 95.4 percent has access to both services.<sup>25</sup> Consumers have proven how much they value mobile broadband services<sup>26</sup> – indeed, as the Commission recently noted, “[i]n 2015, one in five households used only mobile Internet access service to go online at home (up from one in ten in 2013).”<sup>27</sup> An NTIA survey found that in 2017, “more households (88.9 million) had mobile data plans than wired broadband service (85.3 million), a

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<sup>23</sup> See, e.g., Thomson Reuters StreetEvents, *Edited Transcript: CMCSA – Q1 2018 Comcast Corp Earnings Call*, at 6 (Apr. 25, 2018), <https://www.cmcsa.com/static-files/fdafc0ba-9422-4659-ac3b-898fdaf1115c> (statement by Comcast Corp. senior EVP & CFO Michael Cavanagh); Charter Communications, Inc. Press Release, *Charter Announces Second Quarter 2018 Results* (July 31, 2018), <https://newsroom.charter.com/press-releases/charter-announces-second-quarter-2018-results/> (Charter’s DOCSIS 3.1 service is now available to approximately 60 percent of its footprint); Midco, *Midco Gig*, <https://www.midco.com/services/internet/midco-gig> (last visited Aug. 17, 2018); Cox Communications, Inc. Press Release, *Cox Expands Gigabit Speeds at Rapid Pace* (Jan. 9, 2018), <http://newsroom.cox.com/2018-01-09-Cox-Expands-Gigabit-Speeds-at-Rapid-Pace> (asserting Cox offers gigabit service to 40 percent of its footprint with plans to expand).

<sup>24</sup> *2018 Broadband Deployment Report* ¶ 52, Table 2a (5 Mbps/1 Mbps, as of December 2016).

<sup>25</sup> *Id.* ¶¶ 56, 54 (including satellite service, based on fixed 25 Mbps/3 Mbps fixed service and 5 Mbps/1 Mbps mobile LTE, as of December 2016).

<sup>26</sup> See, e.g., Verizon Mobile Wireless Competition Comments at 5-6, 21-22; Verizon Thirteenth Section 706 NOI Comments at 10-11.

<sup>27</sup> *Restoring Internet Freedom Order* ¶ 130 (citing Giulia McHenry, *Evolving Technologies Change the Nature of Internet Use*, NTIA (Apr. 19, 2016), <https://www.ntia.doc.gov/blog/2016/evolving-technologies-change-nature-internet-use>).

reflection of changing patterns in Internet use.”<sup>28</sup> Similarly, results from the National Health Interview Survey for the second half of 2017 indicate that about 53.9 percent of American homes had only wireless telephones, and that approximately three-quarters of all adults aged 25-34 lived in wireless-only households.<sup>29</sup> CTIA estimates that there were 126.4 million data-only, or non-phone-connected wireless devices in the United States in 2017.<sup>30</sup>

Just as Verizon was the first to launch 4G LTE on a broad scale, it is leading the race to deploy 5G technology in the United States – with plans to be first to market with both fixed and mobile versions of 5G technology.<sup>31</sup> Verizon will launch fixed 5G in Houston, Los Angeles, Sacramento, and Indianapolis in the second half of 2018, and 5G mobile services in early 2019.<sup>32</sup> Verizon’s imminent 5G rollout will enable fixed wireless to start – thus bringing a competitive alternative for consumers who may have more limited choice today – and will move into the mobile environment as mobile devices become available early next year.<sup>33</sup>

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<sup>28</sup> David Redi, NTIA, *New Data Show Substantial Gains and Evolutions in Internet Use* (June 6, 2018), <https://www.ntia.doc.gov/blog/2018/new-data-show-substantial-gains-and-evolution-internet-use>.

<sup>29</sup> Stephen J. Blumberg & Julian V. Luke, National Center for Health Statistics, Centers for Disease Control and Prevention, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July–December 2017* (June 2018), <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201806.pdf>.

<sup>30</sup> CTIA, *Background on CTIA’s Wireless Industry Survey*, at 3 (2018), [https://api.ctia.org/wp-content/uploads/2018/07/CTIA\\_ToplineWirelessIndustrySurvey.pdf](https://api.ctia.org/wp-content/uploads/2018/07/CTIA_ToplineWirelessIndustrySurvey.pdf).

<sup>31</sup> See Verizon Mobile Wireless Competition Comments at 28-30.

<sup>32</sup> See Marguerite Reardon, *Verizon to go all in on 5G, plants flag in Houston*, CNET (July 24, 2018, 11:29 AM), <https://www.cnet.com/news/verizon-sees-5g-as-growth-engine-as-it-adds-houston-to-5g-launch/>; Verizon News, *Verizon 5G home internet service coming to Indianapolis* (Aug. 14, 2018), <https://www.verizon.com/about/news/verizon-5g-home-internet-service-coming-indianapolis>.

<sup>33</sup> Jeremy Horwitz, *Verizon Promises Fixed 5G for Los Angeles by Q4 2018, Mobile 5G by Q1 2019*, Venturebeat (May 15, 2018), <https://venturebeat.com/2018/05/15/verizon-promises-fixed-5g-for-los-angeles-by-q4-2018-mobile-5g-by-q1-2019>.

In short, the Commission’s report should confirm that broadband services – both fixed and mobile – are being deployed widely throughout the United States, with the pending deployment of 5G promising even broader growth, and that there is competition for these services.

## **B. Business Data Services**

The Commission has recently evaluated competition for business data services and does not need to reevaluate the methods or results of that study.<sup>34</sup> For example, the Commission recognized that the market for business data services contains “substantial and growing competition” with “a large number of firms building fiber and competing for this business.”<sup>35</sup> The business data services marketplace is now fraught with “intense competition,” with nearly 500 facilities-based companies providing business data services, according to the Commission’s data collection from 2015.<sup>36</sup> The Commission should simply reaffirm its prior findings.

## **III. The Commission Should Continue to Focus on Appropriately Tailoring its Policies to Accelerate Broadband Deployment**

As noted above, considering all forms of broadband, nearly all Americans have access to at least one form of broadband today and the capabilities of fixed and mobile broadband networks continue to improve at a rapid pace.<sup>37</sup> While these are great accomplishments, more work remains to be done. Verizon therefore supports policies that promote even greater broadband investment and innovation. The Commission should continue – as it is already doing

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<sup>34</sup> See *Business Data Services Order*.

<sup>35</sup> *Id.* ¶¶ 1, 3.

<sup>36</sup> *Id.* ¶¶ 1-2.

<sup>37</sup> *Supra* n.25.

in multiple proceedings<sup>38</sup> – to advance policies that will drive deployment of broadband to areas that currently lack adequate broadband service through a framework that encourages maximum broadband investment. As Verizon has explained,<sup>39</sup> these policies should be appropriately tailored to help address the gaps that exist in broadband availability and ensure that Americans continue to enjoy the benefits of next-generation fixed and mobile broadband networks.

First, the Commission should continue its efforts to expedite small cell and fiber deployment by removing roadblocks to the installation of the necessary equipment and facilities. The rapid growth in wireless usage demands continued investment in fiber facilities in addition to small cells to support users’ needs. For example, to implement 5G, Verizon and other providers will need to connect small cells using fiber-optic cables.<sup>40</sup> To better enable an efficient

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<sup>38</sup> Verizon strongly supports many of the actions the Commission has already taken to remove barriers to broadband deployment. For example, Verizon applauds the Commission’s recent Order establishing a new pole attachment regime with one-touch make-ready as “the centerpiece.” *Wireline Broadband Deployment Third R&O* ¶ 16. This action will help speed fiber deployment needed to support the expansion of both fixed and mobile broadband services.

<sup>39</sup> With respect to mobile broadband issues, *see, e.g.*, Verizon Mobile Wireless Competition Comments at 31-34; Comments of Verizon, *Promoting Investment in the 3550-3700 MHz Band*, GN Docket Nos. 17-258 & 12-354 (Dec. 28, 2017); Reply Comments of Verizon, *Promoting Investment in the 3550-3700 MHz Band*, GN Docket Nos. 17-258 & 12-354 (Jan. 29, 2018); Comments of Verizon, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79 & WC Docket No. 17-84, at 44-53, 62-64 (June 15, 2017) (“Verizon Wireless Infrastructure Comments”); Reply Comments of Verizon, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79 & WC Docket No. 17-84, at 37-41 (July 17, 2017) (“Verizon Wireless Infrastructure Reply”); Comments of Verizon, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79 (Feb. 9, 2018); Reply Comments of Verizon, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79 (Feb. 26, 2018).

<sup>40</sup> *See, e.g.*, Letter from Katharine R. Saunders, Verizon, to Marlene H. Dortch, FCC, WT Docket No. 17-79 & WC Docket No. 17-84, at 2 (Sept. 11, 2017).

process for doing so, the Commission should construe Section 253(a) to preclude rates that exceed a locality's costs for access to public rights-of-way and poles.<sup>41</sup>

Second, the Commission should grant USTelecom's petition to forbear from Section 251(c) unbundling and resale requirements and related obligations.<sup>42</sup> As we have explained, eliminating these obsolete mandates, enacted when the telecommunications marketplace was very different from today, poses no risk to consumers, competition, or the public interest.<sup>43</sup> Rather, doing so will bring tremendous benefits. The economic study attached to USTelecom's petition describes how granting forbearance would save consumers \$1.0 billion over 10 years and would increase capital investment in next-generation technology to between \$1.2 billion and \$1.8 billion for the same period.<sup>44</sup>

Finally, in analyzing broadband competition, the Commission should refrain from imposing unnecessary or burdensome new obligations, as well as avoid relying on criteria and metrics that are unnecessary, unreliable, or otherwise inappropriate.<sup>45</sup> By requiring the Communications Marketplace Report every other year rather than every year, Congress sought to "reduce . . . the reporting burden on the public."<sup>46</sup> Additional or intervening reporting

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<sup>41</sup> See, e.g., Letter from Tamara Preiss, Verizon, to Marlene H. Dortch, FCC, WT Docket No. 17-79 & WC Docket No. 17-84, Attach. at 2 (Aug. 10, 2018); Verizon Wireless Infrastructure Comments at 13-15; Verizon Wireless Infrastructure Reply at 16-21; Letter from Andre J. Lachance, Verizon, to Marlene H. Dortch, FCC, WT Docket No. 17-79 & WC Docket No. 17-84 (June 22, 2018); Verizon Mobile Wireless Competition Comments at 35.

<sup>42</sup> See USTelecom Petition.

<sup>43</sup> See Comments of Verizon, *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, at 2 (Aug. 6, 2018).

<sup>44</sup> See *id.* at 31.

<sup>45</sup> See, e.g., Verizon Thirteenth Section 706 NOI Comments at 9-17.

<sup>46</sup> Repack Airwaves Yielding Better Access For Users of Modern Services Act of 2018, H. Rep. No. 115-587, at 30 (Mar. 6, 2018).

obligations would shed little light on the state of broadband deployment, and compliance costs would burden providers and divert resources away from additional deployment.

The Commission should therefore continue to rely on Form 477 data for information on service provider coverage and should not impose additional reporting obligations. The Commission is currently considering a proceeding “to take a focused look” at Form 477 as it takes steps to “identify[] and eliminat[e] unnecessary or overly burdensome filing requirements.”<sup>47</sup> As we explained in comments in that proceeding, the Commission should adopt the streamlining proposals in the *Form 477 FNPRM* and eliminate unnecessary or conflicting data collection.<sup>48</sup> Specifically, the Commission should: (i) collect Form 477 data annually rather than twice a year; (ii) eliminate unnecessary reporting for enterprise service; (iii) ensure that any changes to the 477 mobile service availability collection are consistent with the data sought in the *Mobility Fund* proceeding; (iv) eliminate unnecessary reporting requirements for mobile broadband and voice deployment; (v) limit, rather than increase, its collection of sensitive mobile subscribership data; (vi) maintain its current fixed broadband deployment collections and reject proposals that would require excessive deployment data below the census-block level, especially where census blocks are likely to be homogenous and burdensome new data collection will not yield better information; and (vii) maintain – rather than expand – its requirements on availability of fixed broadband technologies.

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<sup>47</sup> *Modernizing the FCC Form 477 Data Program*, Further Notice of Proposed Rulemaking, 32 FCC Rcd 6329, ¶ 1 (2017) (“*Form 477 FNPRM*”).

<sup>48</sup> See Comments of Verizon, *Modernizing the FCC Form 477 Data Program*, WC Docket No. 11-10 (Oct. 10, 2017).

Taking these steps would allow the Commission to address the limited gaps that exist in broadband availability and ensure that Americans continue to enjoy the benefits of next-generation fixed broadband networks.

## CONCLUSION

For these reasons, the Commission should conclude that the broadband marketplace – including fixed and mobile services – is competitive and should take steps to promote continued broadband investment and innovation.

Respectfully submitted,

/s/ Katharine R. Saunders

William H. Johnson  
*Of Counsel*

Katharine R. Saunders  
Ian J. Dillner  
VERIZON  
1300 I Street NW, Suite 500E  
Washington, DC 20005  
(202) 515-2462

Evan T. Leo  
Michael S. Qin  
KELLOGG, HANSEN, TODD, FIGEL &  
FREDERICK, P.L.L.C.  
1615 M Street, NW, Suite 400  
Washington, D.C. 20036  
(202) 326-7900

*Attorneys for Verizon*

August 17, 2018