

Congress of the United States
Washington, DC 20515

585

July 20, 2016

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Dear Chairman Wheeler,

We appreciate the Federal Communication Commission's (FCC) work to bring more competition to the "special access" business data services marketplace. Business data services are necessary for many sectors of our economy, from retailers to wireless providers, and reliance on these services is only poised to grow in the coming years. At the same time, access to a different service – wholesale voice – remains critical to the business community. We write today to request that as the FCC completes its work on business data services reform you also keep in place an interim condition ensuring continued access to wholesale voice service.

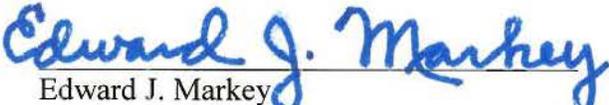
Our country's telecommunications networks are transitioning away from traditional TDM-based service to IP-based service. The FCC recognized in its 2015 *Technology Transitions Order* that this transition requires oversight to ensure values including competition continue to be protected. One area directly impacted by this transition is the market for wholesale voice service.

Today, incumbent telephone providers compete against competitive providers that lease access to portions of the incumbent's network on a wholesale basis. This wholesale access promotes competition and benefits business users by providing them with more choice. In the *Technology Transitions Order*, the FCC recognized the value of wholesale access to incumbents' networks and put in place an interim condition mandating that incumbent providers make a reasonably comparable IP-based service available if the traditional copper network is sunset. This interim condition is set to expire upon completion of the business data services proceeding unless the FCC acts to extend it.

Business data services and wholesale voice are distinct services. The expiration of the interim wholesale voice condition should not be tied to completion of the business data services proceeding because competitive providers do not purchase business data services in order to provide wholesale voice service. Allowing this condition to expire could leave many business users with no meaningful choice in providers and result in economic harm.

The FCC should further examine the market for wholesale voice service before allowing this pro-competitive condition to expire. Thank you for your attention to this matter and for your continued focus on competition.

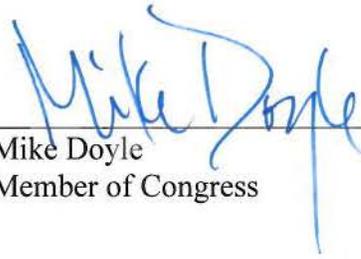
Sincerely,


Edward J. Markey
United States Senator


Anna G. Eshoo
Member of Congress



Elizabeth Warren
United States Senator



Mike Doyle
Member of Congress



Richard Blumenthal
United States Senator



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 7, 2016

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter supporting the Commission's efforts to bring more competition to the business data services (BDS) market and sharing your views about the Commission's interim condition regarding access to wholesale voice service.

I agree that the marketplace for wholesale voice service is important to businesses and the consumers they serve. Consumers win when businesses and organizations have choices among voice services because these entities are able to provide more and better services and products at lower cost. The Commission has recognized that "commercial wholesale platform services" play an important role in competitive carriers' provision of voice service to multi-location enterprise customers.

To provide greater certainty and clarity with respect to enterprise voice service, in August 2015 the Commission adopted the interim requirement that incumbent carriers seeking to discontinue legacy TDM services and transition to an all-Internet Protocol environment must continue to provide commercial wholesale platform services at reasonably comparable rates, terms, and conditions. The Commission provided that this interim requirement will sunset when new business data services (BDS) rules and/or policies are effective. As you state and as the Commission recognized, BDS and wholesale voice are distinct services, but the Commission adopted this time limitation to provide a definitive point in the future at which it could reassess the efficacy and necessity of this interim requirement. The United States Telecom Association has challenged this interim requirement in court, and my staff is defending it vigorously.

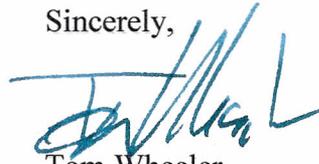
The Commission has an open rulemaking asking how we can best facilitate the continuation of commercial wholesale platform services used by competitive carriers for multi-location voice services. Staff is actively meeting with interested parties and reviewing submissions on this important issue.

Page 2—The Honorable Richard Blumenthal

Thank you again for reaching out to me with your perspectives. I have asked that your letter be added to the record of the BDS and technology transitions proceedings so that it can be considered as part of the public record that informs the next steps in those proceedings.

Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

September 7, 2016

The Honorable Mike Doyle
U.S. House of Representatives
239 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Doyle:

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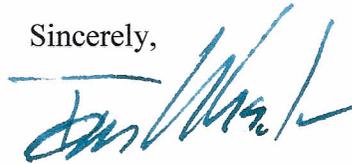
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Sincerely,

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Tom Wheeler

THANK YOU FOR
YOUR LEADERSHIP
ON THIS!



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 7, 2016

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter supporting the Commission's efforts to bring more competition to the business data services (BDS) market and sharing your views about the Commission's interim condition regarding access to wholesale voice service.

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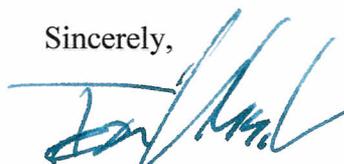
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OFFICE OF
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 7, 2016

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

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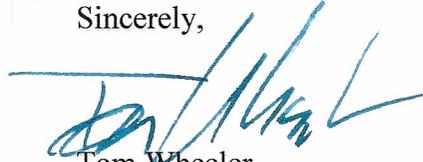
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317 Hart Senate Office Building
Washington, D.C. 20510

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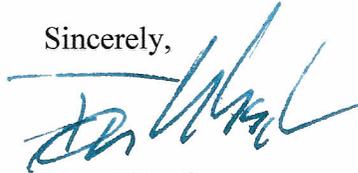
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