

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Rural Call Completion) WC Docket No. 13-39

**REPLY COMMENTS
OF
SPRINT CORPORATION**

Sprint Corporation (“Sprint”) hereby respectfully submits its reply to comments on the Second Further Notice of Proposed Rulemaking (FNPRM) filed on August 28, 2017, in the above-captioned proceeding. These filings confirm that the existing rural call completion data collection, reporting, and retention rules are ineffective and should be eliminated; that any rural call completion problems have abated sharply; and that intercarrier compensation reform, competitive market forces, and cooperative industry efforts are the most effective means to address any on-going rural call completion issues. New regulations or mandated performance standards are unwarranted and unnecessary.

There is widespread agreement among commenting parties that the rural call completion data collection, reporting, and retention requirements not only are ineffective at addressing alleged rural call completion problems, but also involve substantial compliance costs, and should accordingly be eliminated.¹ These comments are consistent with the analysis of the Wireline Competition Bureau, which, based on its review of two

¹ See, e.g., Sprint, p. 3; California PUC, p. 6; ITTA, p. 1; Verizon, p. 1; CTIA, p. 2; AT&T, p. 1; CenturyLink, p. 3; NCTA, p. 1; Comcast, p. 3; VON Coalition, p. 1. NASUCA took no position “at this time” about the proposed elimination of these rules, but “agree[d] that poor quality data will not produce desired results” (pp. 1-2).

years' of quarterly rural call completion reports, concluded that data quality issues "impact the reliability of the data collection," and that wide variation in performance suggested that "rural call completion may be more a function of individual provider performance than a systematic problem."² It was at the Bureau's suggestion that the Commission has asked whether the recording, reporting, and retention rules should be eliminated.³

Only one commenting party, NTCA/WTB, has recommended that the existing rural call completion data collection, reporting, and retention rules be retained, on the theory that covered carriers took steps to ensure rural call completion only because of the rules and the threat of enforcement.⁴ NTCA/WTB is also the only party to take the view that the existing rules have been "relatively" effective.

In Sprint's view, the low incidence of rural call completion complaints and the sharp decrease in the number of such complaints -- which the Commission and all commenting parties acknowledge⁵ -- is attributable not to the data collection and reporting rules, but rather to several other more significant factors: the on-going transition to a system of bill-and-keep (the reduction in terminating charges reduces the incentive to use least-cost routing carriers); sustained competitive pressures (subscribers who are dissatisfied with their carrier's handling of rural calls can readily switch to another service provider); on-going efforts to reduce customer complaints (service

² *Rural Call Completion*, WC Docket No. 13-39, *Report* released June 22, 2017 by the Wireline Competition Bureau (DA 17-595) ("WCB Report"), para. 2.

³ *Id.*

⁴ NTCA-The Rural Broadband Association and WTB-Advocates for Rural Broadband (filing jointly), p. 7.

⁵ FNPRM, para. 8; *see also*, e.g., Sprint, p. 5; US Telecom, p. 3; ITTA, p. 1; AT&T, p. 6; CenturyLink, p. 2; ATIS, p. 3.

providers have financial and reputational incentives to minimize calls to customer care departments); and improved cooperation among industry parties in addressing rural call completion issues (readily available point of contact information facilitates inter-company efforts to identify and resolve network problems). Given the impact of all of these factors, combined with the acknowledged shortfalls and questionable utility of the existing reports, and the cost of complying with the rules, it is clearly in the public interest for the Commission to eliminate the rural call completion data collection, reporting, and retention rules, and to waive these rules during the pendency of this proceeding.

Elimination (and waiver) of the existing rural call completion rules should not lead to adoption of new rules that would require covered carriers to impose specified performance metrics on their intermediate carriers. There is widespread agreement that the Commission should allow covered carriers the flexibility to manage their networks and their intermediate carriers as they deem appropriate, rather than impose government-mandated metrics for intermediate carrier performance.⁶ As USTelecom has recommended, “performance metrics [for intermediate carriers] can be left to the discretion of [covered] carriers.”⁷ Vigorous competition in the retail wireless market provides strong incentives to ensure a high quality of service, including the ability to successfully complete calls to both rural and non-rural areas. Further, any codification of performance standards “will create further burdens on...carriers that frankly they are

⁶ See, e.g., Sprint, p. 7; Verizon, p. 6; CTIA, p. 2; CenturyLink, p. 5; NCTA, p. 5; Comcast, p. 5.

⁷ USTelecom, p. 6.

already taking care of in many respects on their own.”⁸ As ATIS correctly explained, industry best practices can be extremely valuable, but are “not universally applicable and shouldn’t be mandatory.”⁹ The same is true for metrics designed by the Commission, and codification of such metrics should accordingly be avoided.

In support of their call for continuation and expansion of rural call completion rules, NTCA/WTCA state that “[t]he deliberate non-completion of rural calls is a very serious problem.”¹⁰ Sprint agrees that deliberate, systematic non-completion of rural calls would be unacceptable. However, NTCA/WTCA offer no proof that this situation exists. Sprint certainly does not engage in such practices, and is unaware of any evidence that would indicate that other covered carriers are engaging in such practices. The Bureau found no evidence of a systematic problem.¹¹ When USTelecom’s members examined OCNs with low call answer rates, their investigations “d[id] not identify fraudulent or illegal conduct by a downstream intermediate provider.”¹² The Commission should avoid adopting new rules where there is no evidence that an industry problem exists.

⁸ USTelecom, pp. 3-4 (noting that its RLEC members were “able to resolve” call completion issues through their own monitoring and working with other service providers).

⁹ ATIS, p. 3.

¹⁰ NTCA/WTCA, p. 9.

¹¹ WCB Report, para. 2.

¹² USTelecom, p. 4.

Respectfully submitted,

SPRINT CORPORATION

/s/ Charles W. McKee

Charles W. McKee
Vice President, Government Affairs
Federal and State Regulatory

Norina T. Moy
Director, Government Affairs

900 Seventh St. NW, Suite 700
Washington, DC 20001
(703) 433-4503

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