

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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

REPLY COMMENTS OF CENTURYLINK

I. INTRODUCTION AND SUMMARY

CenturyLink¹ submits these reply comments in response to the Second Further Notice of Proposed Rulemaking released on July 14, 2017 and published in the Federal Register on July 27, 2017 (Notice).

The comments from the various participants appear to largely agree on the current situation with respect to the issue of call completion. Specifically, the parties appear to agree that call completion is an important issue.² The parties do not dispute that the problem has decreased significantly even though the statistics produced under the current reporting requirements do not necessarily demonstrate improvement.³ No party has argued that the statistics generated under the current reporting requirements provide significant assistance in addressing the call completion issue, and no party has disputed the assertion that the current reporting requirements are burdensome.

CenturyLink agrees with these general points. CenturyLink continues to believe that a regulatory structure that allows carriers to offer Safe Harbor and non-Safe Harbor products might

¹ This submission is made by and on behalf of CenturyLink, Inc. and its wholly owned subsidiaries.

² See Joint Comments of NTCA-The Rural Broadband Association and WTA-Advocates for Rural Broadband (NTCA/WTA Comments) at 1-2; Comments of the USTelecom Association (USTA Comments) at 1-2; Comments of AT&T (AT&T Comments) at 1; and Comments of the National Association of State Utility Consumer Advocates (NASUCA Comments) at 1-7.

³ NTCA/WTA Comments at 6-8; USTA Comments at 1-3; AT&T Comments at 2-3; Comments of Sprint Corporation (Sprint Comments) at 4-5, and Comments of ITTA-The Voice of America's Broadband Providers (ITTA Comments) at 1-2.

ultimately provide benefits to consumers by making sure that the calls everyone is concerned about—those to relatives or emergency services—are routed in a Safe Harbor fashion.⁴ By allowing the flexibility to offer a lower cost alternative to sophisticated customers more concerned about costs than call completion, the Commission could help facilitate a world in which a Safe Harbor status for other calls is more attractive.

II. INITIAL COMMENTS PROVIDED NO EVIDENCE THAT THE CURRENT RECORDING, RETENTION AND REPORTING REQUIREMENTS HAVE YIELDED A SIGNIFICANT BENEFIT

None of the comments identify any fashion in which the current reporting requirements will provide significant benefits moving forward. The Report identified a number of shortcomings with the data.⁵ Advocates in favor of maintaining the current requirements fail to identify any specific use for the data. None of the comments seem to dispute the significant burden associated with gathering the required data.

Nonetheless, some comments suggest that the requirements should remain. The NTCA/WTB argues that because call completion issues have improved while the requirements were in place, the Commission should maintain them.⁶ Their comments provide no data that ties improved performance to the reporting requirements. They identify no logical connection between reporting requirements and improved performance.

CenturyLink believes the factors that more likely have been effective in addressing the issue—focus by carriers on enforcement actions, reduction in terminating access charges and Safe Harbor routing—exist independently of the recording, retention and reporting requirements

⁴ See Comments of CenturyLink at 3-4.

⁵ See *Rural Call Completion*, WC Docket No. 13-39, Report, DA-17-595 (WCB Jun. 22, 2017) (Report) (identifying numerous shortcomings in the accuracy and usefulness of data collected under current rules).

⁶ NTCA/WTB Comments at 7-9.

and should continue even if the requirements cease to exist. On this record, there is no basis for maintaining current requirements and ample support for removing them.

II. MANDATING ATIS BEST PRACTICES WOULD UNDERMINE FUTURE SIMILAR EFFORTS

All comments seem to recognize that the development of best practices by ATIS has had a positive impact on call completion issues. The NTCA/MTA advocates for Commission rules mandating ATIS best practices.⁷ CenturyLink has been an influential participant in the development of those practices and follows them. Nonetheless, CenturyLink believes it would be a mistake to turn best practices voluntarily developed by the industry into regulatory mandates. Such a course of action would make it extraordinarily difficult to develop similar projects in the future.

The NTCA/MTA is mistaken when it argues that one hop routing should be mandated and constitutes a best practice.⁸ Such a requirement would be even more stringent than current Safe Harbor requirements which allow a carrier to use two intermediate carriers to complete a call. No party has identified evidence that would suggest that tightening requirements beyond current Safe Harbor requirements would be beneficial.

III. CENTURYLINK IS NOT AWARE OF AN ISSUE WITH DELIBERATELY NON-COMPLETED CALLS

The NTCA/MTA suggests in its comments that the “deliberate non-completion of rural calls is a very serious problem, and often a very dangerous one that can lead to unnecessary tragedies.”⁹ The NTCA/MTA provides no data suggesting that the deliberate non-completion of calls is a significant problem in the industry. CenturyLink is not aware of industry members

⁷ *Id.* at 12-13.

⁸ *Id.*

⁹ *Id.* at 9.

deliberately refusing to complete calls and would be very surprised if such actions happen in more than very isolated instances. Even if such situations do arise, existing Commission decisions would provide ample basis for enforcement actions to address the issue.

X. CONCLUSION

The record in this proceeding is remarkably consistent in establishing that (1) call completion issues are improving; (2) that the current recording, retention and reporting requirements provide little benefit today and (3) that those requirements are burdensome, particularly when compare to their lack of benefit.

CenturyLink supports the proposed changes to the Commission rules. CenturyLink suggests that the Commission should allow carriers the flexibility to implement them in an appropriate manner. CenturyLink requests that the Commission consider its suggestions for allowing Safe Harbor providers to offer a non-Safe Harbor product to appropriate customers.

Respectfully submitted,

CENTURYLINK

By: /s/ Jason D. Topp
Jason D. Topp
200 South 5th Street
Suite 2200
Minneapolis, MN 55402
651-312-5364
Jason.topp@centurylink.com

Its Attorney

September 25, 2017