

November 7, 2019

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554

Re: *Modernizing Unbundling and Resale Rules in an Era of Next-Generation Networks and Services* (WC Docket No. 19-308)

Dear Ms. Dortch:

On November 5, 2019, the undersigned, along with Frank Simone of AT&T, Jeff Lanning of CenturyLink, Mike Skrivan of Consolidated, Diana Eisner of Frontier, and Fred Moacdieh¹ met with Joel Miller, Chief of Staff to Commissioner O’Rielly, to discuss the public draft of the Modernizing Unbundling and Resale Rules Notice of Proposed Rulemaking (“*Draft Modernizing Unbundling and Resale Rules NRPM*”) scheduled for consideration at the November 22 Open Meeting.² On November 7, 2019, this same group along with Jackie Flemming of AT&T and Kaiti Saunders of Verizon met separately with Joseph Calascione, Legal Advisor to Commissioner Carr, and Austin Bonner, Legal Advisor to Commissioner Starks, to discuss the same.³

During the meetings, USTelecom expressed its support of the Federal Communications Commission’s (“Commission”) ongoing efforts to modernize outdated regulations to reflect the modern, competitive, communications marketplace.⁴ USTelecom is particularly encouraged by the proposals included in the *Draft Modernizing Unbundling and Resale Rules NRPM* that would seek comment on updating the Commission’s unbundling and resale rules to reflect the dynamic transformation of the communications marketplace. Consistent with Congress’ directive in the 1996 Telecommunications Act (“1996 Act”), the Commission is taking timely action with its proposal that it is no longer necessary to enforce a regime that harms consumers by slowing the transition to modern networks and distorts competition by imposing regulatory burdens on incumbent providers that hold a small and shrinking share of the market.

¹ Mr. Lanning and Mr. Skrivan participated by teleconference.

² *Modernizing Unbundling and Resale Rules in an Era of Next-Generation Networks and Services*, WC Docket No. 19-308, Public Draft Notice of Proposed Rulemaking (Oct. 29, 2019) (*Draft Modernizing Unbundling and Resale Rules NRPM*), <https://docs.fcc.gov/public/attachments/DOC-360518A1.pdf>.

³ Ms. Flemming and Mr. Skrivan participated by teleconference.

⁴ See FCC’s 5G Fast Plan, FCC, <https://www.fcc.gov/5G> (last visited Nov. 6, 2019) (modernizing outdated regulations is one of three key components to the FCC’s comprehensive strategy to facilitate America’s superiority in 5G technology).

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USTelecom also discussed how the Commission's proposals would not harm consumers since robust intermodal voice and broadband competition already exists, especially in urban areas where the Commission is considering to focus relief. Further, the *Draft Modernizing Unbundling and Resale Rules NRPM* specifically proposes to exempt residential broadband service and telecommunications service in rural census blocks.⁵

USTelecom looks forward to adoption of the *Draft Modernizing Unbundling and Resale Rules NRPM* and the subsequent public comment period to further demonstrate that forcing incumbent LECs to unbundle and open their networks to competitors at rates substantially below market rates almost 25 years after the 1996 Act no longer makes sense in the current competitive communications marketplace.

Please contact me with any questions.

Sincerely,

_____/s/_____
Kristine Hackman
Vice President, Policy & Advocacy

cc: Joel Miller
Joseph Calascione
Austin Bonner

⁵ *Draft Modernizing Unbundling and Resale Rules NRPM*, paras. 32-34.