

November 13, 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 8, 2019, the undersigned, along with Jackie Flemming and Frank Simone of AT&T, Diana Eisner of Frontier, and Fred Moacdieh of Verizon met with Travis Litman, Chief of Staff to Commissioner Rosenworcel, 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, 2019 Open Meeting.¹ Also on November 8, 2019, the undersigned spoke on the phone with Nirali Patel, Wireline Advisor to Chairman Pai, to discuss the same.²

During the conversations, USTelecom expressed its support of the Federal Communications Commission’s (“Commission”) ongoing efforts to modernize outdated regulations to reflect the modern, competitive, communications marketplace.³ USTelecom is particularly encouraged by the proposals included in the *Draft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.

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*

¹ *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>.

² Ms. Flemming participated by teleconference.

³ 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 (last visited Nov. 6, 2019) (modernizing outdated regulations is one of three key components to the FCC’s comprehensive strategy to facilitate America’s superiority in 5G technology).

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Unbundling and Resale Rules NRPM specifically proposes to exempt residential broadband service and telecommunications service in rural census blocks.⁴

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: Travis Litman
Nirali Patel

⁴ *Draft Modernizing Unbundling and Resale Rules NRPM*, paras. 32-34.