

FEB 14 1997

Before the  
**Federal Communications Commission**  
Washington, DC 20554

In the Matter of )  
Access Charge Reform )  
Usage of the Public Switched )  
Network by Information Service )  
and Internet Service Access )  
Providers )

CC Docket No. 96-262

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**Comments of the  
Colorado Library, Education, & Healthcare Telecommunications Coalition  
(Colorado LEHTC)**

**I. Introduction and Executive Summary**

The Colorado Library, Education and Healthcare Telecommunications Coalition (Colorado LEHTC) welcomes the opportunity to comment on the Federal Communications Commission's (FCC's) Notice of Proposed Rulemaking and Notice of Inquiry released December 24, 1996. Colorado LEHTC is comprised of 44 libraries, elementary and secondary schools, health care providers and related associations interested in the provision of advanced telecommunications services. We are concerned about possible treatment of Enhanced Service Providers (ESPs) as telecommunications providers for the purposes of extending access charged.

**II. Colorado LEHTC Agrees with FCC Position Against Access Charges At This Time**

Colorado LEHTC notes that in the FCC's Notice of Proposed Rulemaking, it intends to continue exempting ESPs from interstate access charges. (Para. 288) We agree with the FCC's tentative decision for three reasons and encourage implementing it as a final decision in this rulemaking.

First, Colorado LEHTC members recognize the potential advantages of utilizing the Internet so that our beneficiaries, those who use libraries, schools and health care facilities, will have access to resources currently beyond their reach. Many educators have found that the Internet can bring art, history and music to a classroom or library that would otherwise never be seen. Physicians and other health professional have interactions with colleagues throughout the country and even around the world that benefit their patients in rural and isolated areas. Access charges, depending on their implementation strategy and level, could have a chilling effect on this beneficial dissemination.

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Second, Colorado LEHTC believes that more information needs to be gathered to better understand the impact ESPs have on public switched network overload. While certain telephone companies have pointed out isolated incidences where overload has occurred, based on other comments submitted to the FCC that analyzed these submitted reports, we are unconvinced that access charges are the answer to that problem. We are encouraged that there is an advisory committee established to help the FCC address these issues and hope that all parties are invited to participate in those proceedings.

Third, Colorado LEHTC agrees with the FCC's contention that the Internet access market is highly competitive and dynamic. (Para. 285) However, in Colorado the competition and dynamism is only evident in urban areas. It is still difficult for rural residents to access the Internet for a reasonable fee. While we are hopeful that the Universal Service proceedings will address these concerns, we question the value of increasing general costs to Internet service before providing the universal service that is intended in those proceedings to those most in need of these services. Discounts provided on a higher fee may still be prohibitive. While no one knows the exact cost that would make ESP services prohibitively expensive, we believe the Internet market still has general value that supports extending its current temporary exemption.

### **III. Conclusion**

In summary, Colorado LEHTC appreciates the FCC's wisdom in deferring interstate access charges to ESPs. We believe that until more development of the network as occurred, more information is known and implementation of Universal Service discounts has occurred, it is premature to charge these providers.

Sincerely,

Nancy Bolt  
Assistant Commissioner of Education  
on behalf of the  
Colorado Library, Education and Healthcare Telecommunications Coalition  
(Colorado LEHTC)