

Before the
Federal Communications Commission
Washington, D.C. 20554

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SEP 21 1998

In the Matter of)
)
Deployment of Wireline Services) CC Docket No. 98-147
Offering Advance Telecommunications)
Capability)

Comments of

- Keep America Connected
- United Homeowners Association
- Alpha One
- American Council on Education
- National Braille Press
- National Association of Commissions for Women
- The National Trust for the Development of African American Men
- National Association for College and University Business Officers
- Latin American Women and Supporters
- Harlem Consumer Education Council
- National Latino Telecommunications Task Force
- Northern Virginia Resource Center for the Deaf and Hard of Hearing
- MaineCITE Coordinating Committee
- Florida Association for the Deaf
- American Telemedicine Association
- World Institute on Disability
- The Massachusetts Assistive Technology Partnership
- National Association of Development Organizations

September 21, 1998

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Summary

The undersigned organizations welcome the opportunity to respond to the Commission's Notice of Public Rulemaking (NPRM) concerning the deployment of advanced telecommunications capability to all Americans in a reasonable and timely basis, and the consideration of possible steps to accelerate such deployment, pursuant to Section 706 of the Telecommunications Act (Act) of 1996. The matters addressed by the NPRM are crucial to achieving the profoundly important goals set forth by the Act.

Commenters represent a broad range of interests and organizations.¹ We are brought together on this filing because of our common view that the potential for the use of advanced telecommunications capabilities can contribute significantly to the quality of life in this country for all Americans.

To achieve this potential, two things are needed: high-speed, high-capacity connections to broadband networks where we live, work, learn and play, and sufficient capacity in the national data network or the Internet backbone to allow access for all Americans. The intent of Section 706 of the Telecommunications Act of 1996² (Act) was to help hasten the achievement of these goals.

The statements presented here reflect a review of the three areas addressed by the NPRM in which the commission sought comment: (1) an "optional alternative pathway for incumbent LECs that would allow separate affiliates to provide advanced services

¹ See Appendix 1 for a description of each organization and its interests.

² Public Law 104-104, February 8, 1996, 47 U.S.C. Section 157.

free from incumbent LEC regulation";³ (2) "Limited InterLATA Relief";⁴ and (3) resale of advanced telecommunications services.

We identify and respond to requests for comments (*in italics*), noted in the NPRM, that are germane to these issues. The required structure for a separate subsidiary, limited interLATA relief, and the requirement to resell advanced telecommunications services to competitors, as noted in the NPRM, will create a telecommunications environment wholly at odds with the intent of Section 706 and the broader vision embodied in the Act.

The commenters do not believe that separate affiliates will bring forth the competition necessary to provide advanced telecommunications services throughout this country. The separate affiliate requirement will, in essence, create new CLECs, which will only compete for the high volume and more lucrative business users. The underserved communities (small urban, residential, inner city and rural) will continue to be underserved.

More alarmingly, we are witnessing separate and unequal information revolutions, in which high-speed access to the Internet is fragmented and not available to all segments of the population, including many businesses and rural, small urban and minority residents. While we appreciate the Commission's efforts to attempt to address the needs of rural Americans and elementary and secondary schools by providing specific and "targeted" interLATA relief, this is not enough.

While the Commenters commend the Commission's efforts to address the problem regarding access to advanced telecommunications services in this nation, the

³ FCC Notice of Proposed Rulemaking, August 6, 1998, CC Docket No. 98-147, p. 7.

⁴ FCC Notice of Proposed Rulemaking, August 6, 1998, CC Docket No. 98-147, p. 47.

Commission's approach of identifying specific segments in the nation in which interLATA relief may be granted will only bring further confusion to this issue. Further, the Commission wrongly assumes that local telephone companies are incumbents in development of advanced telecommunications services. Due to current Commission regulations and policies, the local telephone companies' investment into and development of advanced telecommunication services has been retarded when compared to other non-regulated entities, such as cable television companies.

The commenters also inquire as to how the Commission determined that interLATA relief may be granted for rural areas and "targeted" relief for universities and health care facilities? What about the small urban, residential and inner city customers that are currently underserved? The commenters further inquire how the Commission will make these specific and "targeted" interLATA relief determinations? Will it be by state boundaries, SMSA's, regional planning districts, etc.?

The intent of the Telecommunications Act of 1996 was to ensure that all Americans would receive access to advanced telecommunications services. This piecemeal approach identified by the Commission in granting interLATA relief may resolve some specific problems but will be inadequate in addressing the needs of other underserved communities, i.e., small urban areas, residential customers and the inner-city.

Access to the Internet, and in particular to the multi-media World Wide Web, continues to be hampered by sluggish and piecemeal connections and unreliable service. This "targeted" approach will only add to the further development of piecemeal

connections and will fail to foster the development of a comprehensive advanced telecommunications system, which serves all Americans.

To remedy this situation, we strongly urge the FCC, at the earliest possible date, to fundamentally alter its policy by removing regulatory barriers and disincentives to new facilities-based competition and investments in the broadband market.

This can only be achieved by allowing local telephone companies to provide these advanced services directly to its customers throughout all of its business regions, without the impediments towards facilities and technologies investments current Commission policies and regulations create.

However, if the Commission is determined to continue to consider the separate affiliate requirement, it should reconsider the flexible competition-oriented affiliate approach the Commission established in its *Computer III* proceeding. The Commission should also allow the local exchange carriers to deliver broadband services across interLATA boundaries. Lastly, the Commission should not require the local exchange carriers to sell advanced data services at mandated discounts to competitors.

As a last alternative, if the Commission is unwilling to remove these regulatory obstacles immediately, it should at least insert a sunset provision for removing these obstacles by the year 2000, when many emerging forms of facilities-bypass will have reached maturity.

I. Separate Affiliates

The Commission sought comment on the proposed alternative pathway for incumbent LECs that would allow "truly" separate affiliates to provide advanced telecommunications services free from incumbent LEC regulation.

The Commission established the following structure for a separate affiliate to be "truly" separate and thus be allowed to provide advanced services free from incumbent regulation:

1. the incumbent must "operate independently" from its affiliate;
2. transactions must be on an "arm's length" basis;
3. the incumbent and affiliate must maintain separate books, records, and accounts;
4. the incumbent and advanced services affiliate must have separate officers, directors and employees;
5. the affiliate must not obtain credit under any arrangement that that would permit a creditor, upon default, to have recourse to the assets of the incumbent;
6. the incumbent LEC, in dealing with its advanced services affiliate may not discriminate in favor of its affiliate in the provision of any goods, services, facilities or information or in the establishment of standards; and
7. an advanced services affiliate must interconnect with the incumbent LEC pursuant to tariff or pursuant to an interconnection agreement, and whatever network elements, facilities, interfaces and systems are provided by the incumbent LEC to the affiliate must also be made available to unaffiliated entities.⁵

While the Commission's efforts to establish a structure for the development of "truly" separate affiliates to provide advanced services have been noted, in reality this requirement will not alleviate the problem currently found regarding the lack of the development of a comprehensive advanced communications system in this nation.

We are concerned that the Commission's proposal to require ILECs to establish separate subsidiaries to deliver advanced services is, in effect, a mandate to create a whole new class of CLECs. This approach is problematic given that CLECs have been

⁵ FCC Notice of Proposed Rulemaking, August 6, 1998, CC Docket No. 98-147, p.7.

reluctant to deploy advanced telecommunications services except for high-end business users. The *San Jose Mercury News*, for example, reported this spring that businesses are "the main beneficiaries" of new CLEC-offered DSL services in the Bay Area area: "[h]ome users, on the other hand, suffer in comparison to those in less competitive markets..." According the *News*, Covad, the Vice President of one of those CLECs, said that while half of his company's lines run to homes, they are for high-speed connections to corporate computer networks that are paid for by the employer.⁶

We, in short, question whether forcing the creation of new CLECs offers the most effective strategy to engender affordable new residential services. If the Commission believes a separate subsidiary is necessary, we urge it to adopt the "more flexible, competition-oriented" model, of employing nonstructural safeguards, it established in its *Computer III* proceeding. In that proceeding, the Commission concluded that the "benefits of structural separation were outweighed by the costs, and that nonstructural safeguards could protect competing ESPs from improper cost allocation and discrimination by the BOCs while avoiding the inefficiencies associated with structural separation."⁷

The commenters also question whether the Commission has considered the issue of state-by-state certification of these separate subsidiaries as new CLECs. The state certification process is lengthy and there is the distinct possibility that some of these new affiliates will be denied state certification. What incentive does this create for local telephone companies to heavily invest in the creation of these "truly" separate

⁶ "Home DSL Costs A Bundle In Bay Area - Competition Hasn't Reduced Prices." *San Jose Mercury News*, March 17, 1998.

⁷ Further Notice of Proposed Rulemaking, FCC 98-8, January 30, 1998, p.10.

subsidiaries when the lengthy state certification process and possibility of state denial loom in front to them?

The actions recommended herein will provide important incentives for local telephone companies to offer advanced data services to homes, schools, health care facilities, universities, customers with disabilities,⁸ and small businesses in their regions. For example, with the appropriate regulatory incentives, Bell Atlantic's new xDSL service can reach up to 80 percent of telephone subscribers in the Bell Atlantic region.

[It should be noted that the commenters do not stake a claim for xDSL nor do we argue that it is the preferred technology for delivering high-speed data services to homes, schools, health care facilities, universities and colleges, small businesses and community service organizations. xDSL technology has limitations. xDSL speeds decrease with distance from a telecommunications central office and upstream speeds are slower than downstream speeds, although still significantly faster than the advertised 128Kbps speed of ISDN service. If granted, however, regulatory forbearance will provide appropriate regulatory incentives for telecommunications companies to offer xDSL and other high-speed data services to consumers.]

Commenters are optimistic that plans announced by several local telephone companies to deploy xDSL service over twisted copper pairs are the first in a series of infrastructure upgrades that will allow high quality two-way video to be delivered to homes, schools, health care facilities, universities and colleges, small businesses, and other facilities. This is the ultimate goal of Section 706. Its realization will, for example,

⁸ Pamela Gregory, Deputy Director of the FCC's Disabilities Issues Task Force, believes that Section 706 "[can] significantly benefit children with disabilities as well as children without disabilities and adults." See Pamela Gregory, "The Telecommunications Act of 1996," 1998 Directory & Guide, 1997, Page 16.

allow people with hearing disabilities to sign to each other over the telephone. xDSL is an important step toward this goal.

The deployment of advanced telecommunications capabilities is not occurring in a reasonable and timely basis, and that capability which is being deployed is grossly insufficient to meet high bandwidth needs and to ameliorate existing Internet access disparities. In fact, the deployment patterns of the most essential element of advanced telecom capability – the Internet backbone – are only exacerbating those disparities.

Control of the Internet backbone is concentrated in the hands of a small number of large companies (just three firms control or own about 70 percent of the backbone⁹) who continue to under invest in new capacity as demand for new bandwidth grows very rapidly.

The handful of companies who control the Internet backbone also primarily target their services at large, high-volume user businesses, urban residents and those who can afford direct backbone connections. Generally, everyone else -- small businesses, rural residents and middle and low-income persons -- are at a marked disadvantage, whether it is defined in terms of bandwidth access, costs, quality and speed of service, or some combination of these things. The new "truly" separate affiliate will be forced to operate in the same manner as the current CLECs to compete in this marketplace, in our opinion, to the detriment of the general public.

To illustrate, some of the largest backbone network providers are also CLECs, and only a few provide residential service. Absent the wake-up call of new competition, many of these large backbone operators have shown little inclination to expand their

⁹ "The Need For Facilities-Based Competition Internet Backbone Competition," by Robert C. Gibson, May 6, 1998, p. 9.

backbones to regions beyond these largest and most lucrative metropolitan areas. We question why the newly created "truly" separate affiliates would act any differently, as backbone providers, than do the current CLECs?

Many rural areas of the country and certain states, such as West Virginia, Northern New England, Minnesota, Montana, and Maine, are not even near backbone interconnection points. And since traffic is often back hauled from these areas to major interconnection points hundreds of miles away, using smaller and slower lines, the residents of these areas are routinely burdened with slower access speeds and higher costs.

The lack of sufficient backbone investments likely has an adverse ripple effect by also discouraging deployment of advanced broadband services to the home and home use of the Internet. According to a recent survey by Keynote Systems, average speeds for transport across the backbone networks are only in the range of 40 kilobits per second (kbps).¹⁰ Not only is that slower than the 56-kbps modems many consumers have purchased recently, it is also much slower than the 128 kbps speed of the ISDN services Bell Atlantic has made available to well over 90 percent of its customers, and vastly slower than speeds of xDSL, cable-modems, and other new technologies. Warned the editor of the authoritative Boardwatch Magazine: "[I]ncreasing bandwidth to the home or office beyond ISDN speeds will probably *not improve the Web experience for end users until backbone connectivity improves dramatically...*"¹¹ (emphasis added). As Dr. Robert Randall and Charles Jackson explained in their report, "Eliminating Barriers to

¹⁰ "Net Jams Hinder Faster Connections," CNET News.Com, October 22, 1997

¹¹ "First Independent Ranking of Internet Backbones Rates CompuServe Tops in Performance," Boardwatch Magazine press release, June 25, 1997 (see <http://www.keynote.com/company/announcements/pr062597.html>.)

DSL Service” (July 1998), pervasive DSL regulation takes away key Bell companies’ incentive to invest in technology.

To reiterate, the requirement of “truly” separate subsidiaries for delivering advanced services will not help engender affordable access for citizens; however, since the Commission deems that separate subsidiaries are necessary, it should reconsider the “more flexible, competition-oriented” model it established in its *Computer III* Proceeding.

I. Limited InterLATA Relief

The Commission sought comments on the modification of interLATA boundaries to address the needs of elementary and secondary schools, rural areas, and “targeted” interLATA relief to permit BOCs or BOC affiliates to provide corporate Internet and extranet services or to serve institutions such as universities or health care institutions.

The rapid growth of the Internet clearly demonstrates an immediate demand for Internet access at higher speeds than are now standard and for other forms of advanced services. But as suggested earlier, the challenges which policymakers must face deal less with the rapidity of the demand, and more with the failings of those who control supply to respond to demand.

The consequences are not insignificant. Access to the Internet, and in particular to the multi-media World Wide Web, continues to be hampered by sluggish connections and unreliable service. According to a recent study by NetRatings, as reported in *The New York Times*, “the average Internet user wastes just over nine minutes per day, or 55 hours per year, waiting for Web pages to load -- fully 26 percent of all time on the

Internet.”¹² The continuing “World Wide Wait” not only means slower Net surfing, it undoubtedly also translates into a slower development of all types of Internet activity, from commerce to online education to health care

The adverse effects of failing to meet the demands for Internet and advanced services go well beyond slow Internet surfing. Much is at stake, affecting all aspects of our society.

Telemedicine, distance learning, video relay, telecommuting and other on-line applications to homes, schools, libraries, colleges and universities, health care facilities, and workplaces will only be possible if we have affordable high-speed connections to where we live, learn, work and play and if the Internet backbone grows to meet new demands for capacity and speed.

This is not a distant issue of tomorrow but an urgent need of today. The lack of an adequate Internet backbone in West Virginia, a rural state, is a case in point. West Virginia is a rural state with small metropolitan areas. Nevertheless, the state has initiated numerous innovative programs to ensure that its citizens will have access to an advanced statewide communications infrastructure. West Virginia is endeavoring to ensure that its public services, i.e., schools and libraries, and its economic development initiatives have the necessary Internet and high-speed connections to allow for the continued development and use of these necessary data communications systems. However, the significant initiatives and accomplishments of West Virginia to keep pace with the challenges of providing a workable communications infrastructure will be destined to failure unless an interLATA high-speed bandwidth is made available.

¹² “Report Puts a Number on the World Wide Wait,” The New York Times, Cybertimes, August 8, 1998.

In the comments made by AT&T, MCI, Sprint and other service providers in West Virginia to the Commission in response to the Petition of Bell Atlantic – West Virginia for Authorization to End West Virginia’s Bandwidth Crisis (CC Docket No. 98-11), the firms stated that there are a variety of high-speed connections in place (cable television fiber optic lines, other fiber links between some of the cities in the state and the installation of an insufficient number of SONET rings and T-3s). However, MCI in its comments to the Commission, stated “MCI is cognizant of the growing demand for Internet access and services. The demand for such services has grown at unprecedented and exponential rates, resulting in a temporary exhaustion of Internet capacity in West Virginia.”¹³ Sprint admitted, “it has capacity constraints of its own in northern West Virginia at the present time.”¹⁴ The admissions of MCI and Sprint readily confirm the existence of a bandwidth crisis in West Virginia.

The approaches of the AT&T, MCI and Sprint to develop an Internet backbone in West Virginia are piecemeal, at best, and do not adequately address the needs of the state in the development of an advanced statewide communications network. Such a network is necessary to ensure that state government agencies, schools, libraries, health care providers, and commercial activities and development will be able to meet the challenges of explosive growth in the areas of data transmission and other high-speed communications. The investments made in West Virginia by the other bandwidth service providers have demonstrated a lack of commitment to the citizens of this state, to the

¹³ Comments of MCI Telecommunications Corporation in Petition of Bell Atlantic – West Virginia for Authorization to End West Virginia’s Bandwidth Crisis, CC Docket No. 98-11, filed August 10, 1998, P.2.

¹⁴ Comments of Sprint Corporation in Petition of Bell Atlantic – West Virginia for Authorization to End West Virginia’s Bandwidth Crisis, CC Docket No. 98-11, filed August 12, 1998, p.3.

state's detriment. While West Virginia is an excellent example of the IXCs' failure to develop advanced telecommunications services in a rural area, it is not a singular problem to this state or to rural areas alone.

Many of our large, respected universities have been rightly complaining about their failure to obtain high bandwidth Internet access for crucial research endeavors.

Brown University, for example, recently stated:

Brown is deeply concerned that the emerging Internet2 and vBNS Traditional IXC providers such as Sprint dominate network and MCI. Brown believes the best means to accomplish affordable access to the future wide-area broadband networks is to allow healthy competition among all potential providers. Currently Brown is experiencing the failures of lack of competition for high bandwidth access in our attempt to acquire a DS3 link from Providence to Boston. Out service requests to MCI have been rejected due to 'lack of capacity.' Lack of capacity has created a demand-supply relationship that is not in Brown's best interest.¹⁵

Several colleges and universities have echoed these views.¹⁶ As members of the I2 Consortium and regional Internet consortia, they recognize not only the need for new Internet backbone, but also the important role that new competition from local telephone companies can play in the high-end data market.

Demand for high-speed data services and Internet backbone for educational purposes will likely increase markedly in the near future, in part, as a result of forward-looking provisions of the Act. The Snowe-Rockefeller provision¹⁷ provides discounts on telecommunications services, including connections, inside wiring and Internet services.

¹⁵ Letter from Brown University's Director of Communications in support of Bell Atlantic's request for relief from interLATA restrictions on broadband networks, November 14, 1997.

¹⁶ In addition to Brown University, petition supporters include Boston University, George Mason University, West Virginia University, Virginia Polytechnic and State University, The University of Maine System, The Massachusetts Institute of Technology, NYSERNET, Virginia Commonwealth University, and The Virginia Community College System.

¹⁷ Public Law 104-104, February 8, 1996, 47 U.S.C. Section 254.

to schools, libraries and rural health care providers. When the benefits of Snowe Rockefeller are fully realized, demand for Internet backbone will soar as teachers, students, librarians, health care providers and others use the Internet as an integral part of their daily activities. But without incentives for the deployment of new backbone, the Internet may prove to be of limited value as a teaching and informational resource or as a tool to level the playing field for students with disabilities. The requirements of Section 255 of the Act that people with disabilities have access to advanced telecommunications capabilities may only be fully realized if high-speed, high-capacity data services are widely available.

A school can be connected to the Internet with xDSL service or a T-1 line and students can speed to the Internet over xDSL connections from their homes, but if they only receive data at the equivalent of 28.8 kbps or 56.6 kbps modem speed, the full potential of the Internet in the classroom will not be achieved.

In addition to concentration of Internet backbone control, federal policies are serving to impede or discourage the new competition and investment necessary to alleviate the problems of limited backbone capacity and uneven access to broadband networks.

These policies do not appear to reflect a full appreciation of the inherent differences between the geographically sensitive voice network and the geographically insensitive Internet. Longstanding concepts developed around the circuit-switched network such as "local" or LATAs and "long distance" cannot, nor should be applied to a packet-switched Internet where geographical boundaries are virtually meaningless and where, in fact, communications are often local and global simultaneously.

Nonetheless, the Commission has continued to impose interLATA restrictions on deploying packet-switched networks, even though the concept of boundaries is meaningless on the Internet.

As long as interLATA restrictions keep new entrants out of the backbone market, the lack of competition will continue to discourage or limit new investments in backbone capacity. Further, the specific and "targeted" approach suggested by the Commission to provide advance services to schools, rural areas, and "targeted" universities and health care providers will only cause more stratification between the haves and the have nots. The commenters' question how the Commission determined that these areas should be considered for limited interLATA relief and areas such as inner cities and urban and suburban areas not currently served were not considered.

III. Resale of Advance Telecommunication Services

The Commission sought comment on the requirement that the incumbent LEC must offer for resale, at wholesale rates, any advanced services that the incumbent offers to subscribers that are not telecommunications carriers.

There are other major regulatory disincentives to expanding broadband service. The Commission is requiring incumbent local exchange carriers (ILECs) to sell advanced data services at mandated large discounts to competitors. This policy is not only an obvious disincentive to investment in advanced data services by the ILECs, but also to new facilities investments by their competitors (CLECs). What is the incentive for these

competitors to build their own local facilities to deliver broadband services if they can simply do so by utilizing the ILECs' networks at a large discount?

IV. Conclusion

We urge the Commission to allow local exchange carriers (1) to establish a more competition-oriented model for separate affiliates as noted in the Commission's Computer III Proceeding; (2) be allowed to deliver advanced data services over interLATA boundaries or, at the very minimum, in-region interLATA relief should be granted, to help expand broadband access and ease Internet congestion in heavily populated areas, such as the Northeast; and (3) not be required to sell advanced data services at mandated discounts to competitors for purposes of resale.¹⁸

Just a few years ago, information that sped over the Internet was largely in the form of text. Today, on-line applications are filled with complex graphic material and streaming audio and video. Higher bandwidth and faster speeds are necessary so that consumers, students, teachers, health care professionals, businesses, people with disabilities, community organizations, government representatives and others can benefit from the Internet's potential.

The continued development of telemedicine and home health care, for example, will not occur absent the wider deployment of high-bandwidth networks. The bandwidth requirements for advanced telemedicine are significant, but so are the potential benefits.

¹⁸ The case for excluding high-speed data services from the requirements of Section 251 of the Telecommunications Act of 1996 and, more specifically, from the Commission's UNE/TELRIC pricing regime is convincingly illustrated in the amicus brief submitted to the Federal Court of Appeals for the 8th Circuit by the Alliance for Public Technology, et. al. in the interconnection case (*Iowa Board of Public Utilities v. United States of America*).

Home health care in rural regions -- where it is often a necessity -- can be particularly facilitated and enhanced through the increased availability of broadband services.

To further illustrate the point, Americans who are blind were able to surf the net quite well in the days of text-based services. Today, they face new barriers in using information included in graphics and other components of web pages. The rapid deployment of advanced telecommunications services will help overcome these barriers.

Regulatory forbearance will encourage the harnessing of the market's best forces to help attain these goals

There is growing evidence that certain federal policies and business forces are helping create a telecommunications environment wholly at odds with the intent of Section 706 and the broader vision embodied in the Act. Lacking broadband access, most Americans have yet to secure the benefits intended by Section 706. Many are also paying the costs through slow, inferior quality Internet connections.

As Chairman Kennard noted:

We have in this country already 40 million households that have home computers and most of those computers have more computing power than can be accommodated by the pipe into the home...So we've got to find ways in this country to increase bandwidth capacity.

We have already noted that the deployment patterns of backbone providers places rural residents, small businesses and the poor at an access and service disadvantage. In fact, an assessment of the Internet's infrastructure by New York's University's Taub Urban Research Center has found that "less urbanized areas, economically distressed cities and interior regions lag the nation in Internet development."¹⁹ Another recent New

¹⁹ "Net Equity: Class Divisions Emerging on the Net," by Mitchell L. Moss and Steve Mitra, Taub Urban Research Center, New York University, August 1998.

York University study also suggests that the poor rely on schools, libraries and community centers for their primary access to the Internet -- public institutions which are still struggling to make full use of standard Internet access, much less broadband access.²⁰ And Vanderbilt University documented “a racial discrepancy on the Internet, reporting that “[e]ven whites who do not have home computers found it easier to get on the World Wide Web than blacks.”²¹

Relief from regulatory barriers to deployment of advanced telecommunications services under Section 706 will not likely by itself fully bridge all these divides. But it will certainly help mitigate their severity. Relief will provide important incentives for investments by local telephone companies -- and their competitors -- to develop and deploy broadband services in areas currently not served or under served. Relief will also encourage badly needed new investments by the local companies, and their competitors, in the Internet backbone.

Regulatory relief, in short, is a vital prerequisite for helping meet the basic goals of Section 706 and the Act.

Few actions will do more to help fulfill the Act’s greatest promise: to ensure that all Americans have an opportunity to harvest the myriad benefits of the digital revolution.

Respectfully submitted,



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²⁰ “Digital divide an income gap,” CNET News.Com, August 20, 1998.

²¹ “Racial Discrepancy on Net,” CNET News.Com, April 16, 1998.

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Appendix 1

Keep America Connected (KAC) is an organization comprised of groups whose demonstrated goals involve promoting a variety of telecommunications issues. The primary goal of KAC is that regardless of income, race, disability, age, ethnicity or geographical location affordable, access to the use of the modern telecommunications infrastructure and services should be available. This goal is best achieved through the rapid development of a fully competitive marketplace that ensures that consumers across the nation will have access to more services at lower prices.

The United Homeowners Association (UHA) is a national, nonprofit, membership based organization that represents the interests of homeowners in Washington, D.C. UHA has an active communications advocacy program on behalf of its members. UHA has promoted the interests of homeowners in telecommunications to Congress, before the FCC and in the Courts.

Alpha One is the largest center for independent living in Maine. Its members consist of both executives and managers who have disabilities and those who do not. Consumers of services have a wide range of disabilities including physical, sensory, developmental and multiple. Four offices located statewide enable thirty professional staff, many with disabilities themselves, to respond to the diverse needs of people across Maine. Alpha One is also a leading advocate in shaping public policy to address and integrate the needs of people with disabilities especially in the area of telecommunications.

The American Council on Education (ACE) is a nonprofit association comprised of 1,850 colleges, universities and other educational associations. ACE supports efforts to enhance telecommunications services or offerings available to its members.

The National Braille Press is an organization that promotes the use of Braille by companies that communicate with the general public such as utility companies. The organization represents the interests of the blind through support of policies and programs that will promote the development of competition in all telecommunication markets to create innovative approaches thereby creating opportunities for the blind to participate in the information superhighway.

The National Association of Commissions for Women (NACW) represents local commissions established to promote the interests of women in cultural, social, and economic fields. NACW supports policies and programs that empower women to make informed choices about all aspects of their lives. NACW has been active in the debate on telecommunications reform, supporting legislative and regulatory initiatives to e competition, thereby creating new options and services for women as consumers and in their businesses.

The National Trust for the Development of African American Men is a national, nonprofit organization based in the Washington, D.C. area, that addresses the development, needs challenges of African-Americans, especially males, in the areas of health, leadership, training, economic development, education, and crime prevention from an African view the world. The Trust operates programs throughout the country with a particular emphasis on technology training and making computers and on-line services accessible in low income and underserved communities.

National Association of College and University Business Officers (NACUBO) members are nonprofit and for-profit organizations located in the US and abroad who are all committed to excellence in higher education, finance and administration. One of NACUBO's missions is to anticipate the issues affecting higher education across the

world particularly the use of telecommunications as a means of sharing information and knowledge. NACUBO supports universal access to telecommunications regardless of ethnicity, income or geographic location.

Latin American Women and Supporters (LAWS) works to improve and promote information to Latin American women and their families through education. LAWS supports efforts to ensure that Latin American women have access to new telecommunications technologies and services for education, jobs, and economic development opportunities.

Harlem Consumer Education Council, Inc is a consumer advocacy, consumer education and training organization based in New York City, New York. Among its activities is sponsorship of "Harlem Consumer Awareness Day", a joint conference with state and federal agencies.

The National Latino Telecommunications Taskforce (NLTT) was formed by a select group of Latino leaders concerned with the role of Latinos in the development of the National Information Infrastructure. The organization wants to ensure that the Latino community, minorities, the elderly, poor, the unskilled and non-English speaking immigrant populations will have an opportunity to participate in the information superhighway by ensuring that barriers to universal access are overcome.

The Northern Virginia Resource Center for Deaf and Hard of Hearing Persons is the premier self-help and advocacy organization of and for deaf and or hearing impaired persons in Fairfax County, Virginia. The group supports efforts to ensure and promote universal access and new telecommunications technologies that will empower its constituents and create new opportunities in the workforce, education and society.