

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 )  
Inquiry Concerning the Deployment of ) GN Docket No. 15-191  
Advanced Telecommunications Capability to )  
All Americans in a Reasonable and Timely )  
Fashion, and Possible Steps to Accelerate Such )  
Deployment Pursuant to Section 706 of the )  
Telecommunications Act of 1996, as Amended )  
by the Broadband Data Improvement Act )

**REPLY COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION**

Competitive Carriers Association (“CCA”) hereby replies to initial comments on the *Eleventh Broadband Progress Notice of Inquiry* (“*Notice*”)<sup>1</sup> issued by the Federal Communications Commission (“FCC” or “Commission”), which seeks comment on whether “advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion.”<sup>2</sup> In initial comments, CCA urged the Commission to find that this capability, which should include mobile broadband, is not being deployed to all Americans in a reasonable and timely manner, and recommended several actions that the Commission could take to remove barriers to deployment of mobile broadband networks, including increasing access to Universal Service funding, promoting fair access to spectrum opportunities, initiating a proceeding on data roaming in light of the Commission’s open Internet rules, and addressing outstanding issues

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<sup>1</sup> *In the Matter of Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act*, GN Docket No. 15-191, Eleventh Broadband Progress Notice of Inquiry, FCC 15-101 (rel. Aug. 7, 2015) (“*Notice*”).

<sup>2</sup> *Id.* ¶ 1 (quoting 47 U.S.C. § 1302(b)).

related to backhaul and infrastructure siting.<sup>3</sup> While the record supports these proposals, CCA’s reply is focused on the record support for mobile benchmarks that are “reasonable and realistic” and that account for the evolving nature of mobile technology.

Commenters agree that mobile technology is constantly advancing, and call for benchmarks that account for the nature of this technology. This evolution will result in faster mobile broadband speeds that, while aspirational at this point, will soon be the reality. In its initial comments, CTIA emphasizes that “[s]pecific technical benchmarks for assessing mobile wireless broadband also would become outdated as mobile broadband technologies change.”<sup>4</sup> And Verizon recognizes that “constantly evaluating and reevaluating a speed benchmark is less important than consistently measuring progress over time.”<sup>5</sup> Therefore, consistent with CCA’s initial comments, any established benchmarks should be flexible enough to incorporate the fact that mobile technology is continuing to innovate and evolve at staggering rates.

Advanced mobile broadband technologies are developing at “breakneck speed.”<sup>6</sup> Indeed, in the past few years, average mobile broadband speeds have increased exponentially. For instance, in less than a two year timespan, T-Mobile acquired LTE spectrum and doubled its theoretical LTE speeds and capacity in 40 of the top 50 U.S. metro markets.<sup>7</sup> Indeed, the FCC’s most recent mobile competition report concluded that median download speeds have increased in

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<sup>3</sup> Comments of Competitive Carriers Association, GN Docket No. 15-191 (filed Sept. 15, 2015) (“CCA Comments”).

<sup>4</sup> Comments of CTIA-The Wireless Association (“CTIA”), GN Docket No. 15-191 at 8 (filed Sept. 15, 2015).

<sup>5</sup> Comments of Verizon, GN Docket No. 15-191 at 11 (filed Sept. 15, 2015).

<sup>6</sup> Comments of AT&T, GN Docket No. 15-191 at 7 (filed Sept. 15, 2015).

<sup>7</sup> Kevin Fitchard, *T-Mobile Doubles its LTE Speeds, Capacity in At Least 40 Major Cities*, GIGAOM (Nov. 5, 2013, 7:23 AM PDT), <https://gigaom.com/2013/11/05/t-mobile-doubles-its-lte-speeds-capacity-in-at-least-40-major-cities/>.

the past year for many of the major mobile service providers.<sup>8</sup> Overall, the report demonstrates that mobile broadband technologies are becoming more advanced, and as a result, mobile broadband speeds are getting faster.<sup>9</sup>

Accordingly, the Commission should incorporate reasonable and realistic mobile broadband technology benchmarks for purposes of its Section 706 analysis. Specifically, with respect to mobile speed benchmarks, commenters recognize the importance of forward-looking benchmarks. Consistent with its initial comments, CCA agrees with U.S. Cellular that “it would be reasonable, and realistic, to apply an aspirational 10 Mbps/1 Mbps speed benchmark for mobile broadband . . . .”<sup>10</sup> Applying an aspirational benchmark will continue to encourage innovation, investment and deployment in mobile broadband networks, as well as avoid the establishment of benchmarks that may soon become outdated. Indeed, such a benchmark will easily be able to account for “the types of technologies and services that consumers demand from their mobile broadband connection,”<sup>11</sup> whether it be social media one day, or streaming music the next day.

CCA further agrees with those commenters that argue that, while the Commission’s Section 706 benchmarks should be the target for *advanced* services to be deployed in a given market for a given product, it would be inappropriate and naïve to automatically and

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<sup>8</sup> *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions With Respect to Mobile Wireless, Including Commercial Mobile Services*, WT Docket No. 13-135, Seventeenth Report, 29 FCC Rcd 15311, 15406-08, 15409-11, ¶¶ 193-97, 201-02 (WTB 2014).

<sup>9</sup> *Id.*, 29 FCC Rcd at 15396, ¶ 173 (finding that “[n]etwork investment remains a centerpiece of service providers’ efforts to improve their customers’ mobile wireless service experience. During 2013 and early 2014 several providers continued to upgrade and expand their networks with technologies that enable faster data transfer speeds.”).

<sup>10</sup> Comments of United States Cellular Corporation (“U.S. Cellular”), GN Docket No. 15-191 at 15 (filed Sept. 15, 2015) (“U.S. Cellular Comments”).

<sup>11</sup> CCA Comments at 9.

immediately apply these speed benchmarks to other FCC proceedings, such as performance obligations for Mobility Fund support.<sup>12</sup> As U.S. Cellular notes, “setting a lower speed benchmark . . . will ‘establish a framework to ensure a basic level of service to be available for all Americans.’”<sup>13</sup> The FCC should take the opportunity presented in this Section 706 review to take actions to promote mobile broadband that will allow carriers to build on their network investments and service improvements to aspire to achieve better, faster, less expensive mobile broadband service for all Americans.

For the foregoing reasons, CCA requests that the Commission continue to encourage the development of advanced mobile broadband technologies through adoption of reasonable and realistic benchmarks for purposes of its Section 706 analysis.

Respectfully submitted,

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<sup>12</sup> U.S. Cellular Comments at 15-16.

<sup>13</sup> *Id.* at 16.