



***FCC Triennial Review –
What's Necessary for
Facilities-Based
Competition***



UNE-L – When It Can Work (but it is hard)

- Loops – Must be actually available.
- Ordering & Provisioning –
 - Timely & Nondiscriminatory
 - Adequate Volumes at Reasonable Rates
- Collocation
- Transport

Loops – Actual Availability

- Loops behind DLCs/concentrators cannot be unbundled unless GR-303 compatible.
 - Feasible – GCI has implemented GR-303.
- ILECs can't withhold loop equipment & services provided for retail affiliates (e.g. DAMLs, additional service drop).
- Conditioned loops are just loops, and need to be available for GCI to use with its own electronics.

Ordering & Provisioning – Must Be Timely & Nondiscriminatory

- Need adequate volumes at reasonable rates.
 - GCI must fight for adequate & timely volume. ACS discriminates to slow GCI entry.
 - Needed volumes will grow.
 - Alaska fees for loop cutover are \$9.56 (Fairbanks & Juneau) to \$22.25 (Anchorage).
- Discrimination is a big problem.
 - UNE and TSR orders were backlogged. Only cured in response to regulators.
 - Ordering problems will slow entry.

Ordering & Provisioning – Monitoring & Enforcement

- Current rules are inadequate on monitoring and enforcement of ordering and provisioning requirements.
- Need to require that interconnection agreements contain definitions of parity and metrics.
- Need to require that interconnection agreements contain self-executing enforcement with liquidated damages. Today, obstruction & discrimination pay!

Collocation & Transport – GCI's Advantages & ILEC Abuses

- GCI has its own fiber rings connecting LEC end offices with GCI's switch.
- Space and cost make collocation difficult & uneconomic in some locations, and collocation takes time.
- ILEC frustrates GCI fiber use by converting end offices to remotes (eliminating collocation for interexchange traffic).
- ILECs should be precluded from charging for unused IX entrance facilities when GCI uses own fiber and collocates.

Non-Impairment for Switching – A Local Determination

- Factual findings to support finding of non-impairment are highly localized, and cannot be made by the FCC on a nationwide basis.
 - Cutover volume/capacity varies with market size.
 - DSL/concentrators vary by market.
 - Ordering/provisioning are company specific.
- CLEC is impaired without unbundled switching when and where conditions not met.
 - Presumption should be impairment.

Barriers to Use of Own Loop Facilities

- Building access problems preclude expanding service to other buildings.
- In-building sub-loop unbundling necessary when conduits are full.
- Cable telephony -- Not yet a commercial, operational reality.

UNEs and Facilities Investment

- UNEs (including UNE-P) complement facilities investment, and allow facilities-based carrier to fill out its footprint.
- Hidden costs of dealing with ILEC mean CLECs will use own facilities whenever possible.
- UNEs are not “devaluing” GCI’s facilities investments.