EX PARTE OR LATE FILED

Dee May
Vice President
Federal Regulatory

verizon

ORIGINAL

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October 6, 2004

RECEIVED

OCT - 6 2004

Federal Communications Commission
Office of Secretary

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: **Section 251 Unbundling Obligations for Incumbent Local Exchange Carriers, CC Docket No. 01-338; Implementation of Local Competition Provision of the Telecommunications Act of 1996, CC Docket No. 96-98; Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147**

Dear Ms. Dortch:

Please place the attached on the record in the above proceedings.

Please let me know if you have any questions.

Sincerely,

Dee May

Attachment

Dee May
Vice President
Federal Regulatory

1300 I Street, NW, Suite 400 West
Washington, DC 20005

Phone 202 515-2529
Fax 202 336-7922
dolores.a.may@verizon.com

October 6, 2004

Chairman Michael Powell:
Commissioner Kathleen Abernathy:
Commissioner Jonathan Adelstein:
Commissioner Michael Copps:
Commissioner Kevin Martin:

As you know, Verizon has announced our intention to make fiber to the premises available to one million customers by the end of this year. We hope to double that deployment rate next year, and continue aggressive investment in this next-generation communications technology in the years to come.

One obstacle to our deployment has been uncertainty regarding unbundling obligations for broadband facilities. The Commission's Triennial Review Order makes clear that no unbundling is necessary for the mass market under Section 251 of the Telecommunications Act, but later wording indicates that unbundling might be required by Section 271 of the Act for broadband facilities deployed in the former Bell Atlantic region of the Verizon territory.

Verizon has filed a forbearance petition asking the FCC to eliminate the Section 271 unbundling obligation for the high-speed network facilities no longer subject to the Section 251 unbundling requirements. We have also had extensive discussions with Commission staff, Administration officials, Members of Congress from both parties, and industry and consumer groups.

As you consider Verizon's request, we would urge you to review the supportive comments from these important constituencies collected in this folder.

Verizon looks forward to bringing our customers the latest in communications technology. We hope you will grant our forbearance request in a timely fashion and help make our vision for the future of communications a reality.

Thank you for your consideration.

Sincerely,

Dee May

cc: Scott Bergmann
Matthew Brill
Daniel Gonzalez
Christopher Libertelli
Jessica Rosenworcel
Jeffrey Carlisle
Michelle Carey
Tom Navin
Russell Hanser
Jeremy Miller

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  - Susan M. Greco, Executive Director, Deafness Research Foundation/National Campaign for Hearing Health
  - Gabriel Lemus, PhD, Director, League of United Latin American Citizens
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  - Leroy Watson, Legislative Director, National Grange of the Order of Patrons

- NAACP
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HENRY A. WAXMAN, CALIFORNIA
EDWARD J. MARKEY, MASSACHUSETTS
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EDOLPHUS TOWNS, NEW YORK
FRANK PALLONE, JR., NEW JERSEY

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BOBBY L. RUSH, ILLINOIS
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ALBERT R. WYNN, MARYLAND
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TED STRICKLAND, OHIO
DIANA DeGETTE, COLORADO
LOIS CAPPS, CALIFORNIA
MICHAEL F. DOYLE, PENNSYLVANIA
CHRISTOPHER JOHN, LOUISIANA
TOM ALLEN, MAINE
JIM DAVIS, FLORIDA
JAN SCHAKOWSKY, ILLINOIS
HILDA L. SOLIS, CALIFORNIA
CHARLES A. GONZALEZ, TEXAS

ONE HUNDRED EIGHTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515–6115

JOE BARTON, TEXAS
CHAIRMAN

September 23, 2004

BUD ALBRIGHT, STAFF DIRECTOR

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

Last year, in the Triennial Review Order ("the TRO"), the Federal Communications Commission ("the Commission") made the correct determination that broadband facilities, such as packet switching functionality as well as fiber loops and subloops, do not have to be provided on an unbundled basis by incumbent local exchange carriers ("ILECs") in accordance with Section 251(c)(3) of the Communications Act. This decision provides the proper economic incentives for both ILECs and competitive local exchange carriers ("CLECs") to deploy broadband facilities in a timely manner throughout the United States. However, unless the Commission forbears from applying the unbundling rules required by Section 271 of the Communications Act to the broadband elements it has determined do not have to be unbundled under section 251, the Commission will jeopardize the sound policy adopted in the TRO.

Although we acknowledge that the Commission has read Section 271 of the Communications Act to present a separate unbundling obligation for the Bell Operating Companies ("BOCs"), the imposition of such an obligation on broadband network elements in the absence of a Section 251(c)(3) unbundling requirement would be contradictory and undermine our shared goal of achieving ubiquitous broadband deployment in a timely manner. In addition, there is no logical reason why BOCs should be subjected to an unbundling obligation for broadband network elements that the Commission has already determined to be inappropriate for ILECs in general. Indeed, imposing such an obligation only on the BOCs would produce a patchwork of different rules that apply to broadband facilities in different areas across the country, and undermine the goal of widespread deployment nationwide.

The Commission's own reasoning in the TRO demonstrates why forbearing from Section 271 unbundling obligations for BOC broadband facilities would be the proper policy outcome:

> We expect that this decision to refrain from unbundling incumbent LEC next-generation networks – which is based on our evaluation of an extensive record developed over more than two years – will stimulate facilities-based deployment in two ways. First, with the certainty that their fiber optic and packet-based networks will remain free of unbundling requirements, incumbent LECs will have the opportunity to expand their deployment of these networks, enter new lines of business, and reap the rewards of delivering broadband services to the mass market. Thus, we conclude that relieving incumbent LECs from unbundling requirements for these networks will promote investment in, and deployment of, next-generation networks. Second, with the knowledge that incumbent LEC next-generation networks will not be available on an unbundled basis, competitive LECs will need to continue to seek innovative network access options to serve end users and to fully compete against incumbent LECs in the mass market.

The Commission cited its authority under Section 706 of the Telecommunications Act of 1996 as the statutory basis for not requiring unbundling under Section 251 of broadband facilities:

> We conclude ... that applying section 251(c) unbundling obligations to these next-generation network elements would blunt the deployment of advanced telecommunications infrastructure by incumbent LECs and the incentive for competitive LECs to invest in their own facilities, in direct opposition to the express statutory goals authorized in section 706.

The same reasoning applies to relief from the Section 271 unbundling rules for broadband facilities. Enforcing such rules would undermine the deployment of new broadband facilities by both BOCs and CLECs. Forbearing from the application of such rules, on the other hand, would enable the Commission to meet its statutory goal of encouraging "the deployment on a reasonable and timely basis of advanced telecommunications capability."

We therefore request that the Commission expeditiously use its forbearance authority to exempt broadband network elements from the unbundling requirements of Section 271, just as it has concluded those network elements need not be unbundled under section 251. We believe that such an outcome will speed the deployment of new networks, which will stimulate economic growth and create jobs.

Thank you for your prompt consideration of this matter. We look forward to receiving your response.

Sincerely,

Joe Barton
Chairman

John D. Dingell
Ranking Member

Fred Upton
Chairman
Subcommittee on Telecommunications
and the Internet

Congress of the United States

Washington, DC 20515

September 13, 2004

The Honorable Michael Powell, Chairman
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Dear Chairman Powell:

We are writing to request that you resolve conflicting interpretations of Sections 251 and 271 of the Telecommunications Act of 1996, as it relates to broadband unbundling requirements.

The FCC's Triennial Review Order eliminated regulations that required Regional Bell Operating Companies (RBOCs) to share new investments they make in certain broadband infrastructure with competitors, including fiber-to-the-premises, under Section 251 of the Telecommunications Act. However, the Commission's Order failed to clearly state that Section 271 of the Act also eliminates the unbundling of broadband facilities.

This past February, when Verizon announced that new DSL service was available in 23 Western Maryland Communities, Aris Melissaratos, Secretary of the Maryland Department of Business and Economic Development said, "This technology will greatly enhance the ability of small and large businesses to transmit large volumes of information very quickly – a critical component for stimulating business development across Maryland." We couldn't agree more.

The Wall Street Journal reported on August 19, 2004 (page B1) that Verizon has made a commitment to run fiber to more than 3 million homes by the end of 2005. This is good news, but current FCC unbundling regulations discourage fiber investment in the states formerly served by Bell Atlantic – including Maryland and other major Northeast states.

Fiber to the home has so much potential, not only for Internet access that is 20 times faster than DSL, but for real competition in the video market, and other new and exciting services limited only by the imagination. Yet, regulations seem to get in the way of deploying this technology.

We strongly encourage the FCC to act on the several pending matters to encourage broadband deployment and investment. This includes clarifying that unbundling obligations under Section 271 of the Act are to be eliminated for broadband networks. If you have any questions, please do not hesitate to contact any of us.

Thank you for your consideration.

Sincerely,

Albert R. Wynn
Member of Congress

C.A. Dutch Ruppersberger
Member of Congress

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Elijah E. Cummings
Member of Congress

Steny H. Hoyer
Member of Congress

PAUL S. SARBANES
MARYLAND

309 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
202-224-4524

United States Senate

WASHINGTON, DC 20510-2002

September 22, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW Room 8-A204
Washington, D.C. 20554

Dear Chairman Powell:

It has come to the attention of my office that the Federal Communications Commission (FCC) is currently considering a petition regarding the clarification of unbundling requirements for broadband Internet deployment. In order to achieve our collective goal of accelerating broadband deployment to currently underserved regions of Maryland and the nation, I urge you to complete your full and thorough review of this petition as soon as possible.

It is my understanding that in its Triennial Review Order last year, the FCC decided to eliminate unbundling requirements for incumbent local exchange companies (ILECs) under Section 251 of the Telecommunications Act of 1996. I have also been informed that the FCC's interpretation of Section 271 of the Act is somewhat at odds with its ruling on Section 251. The forbearance petition currently pending before the FCC seeks to obtain some clarification on this matter.

It is my hope that after a full and thorough review, you may provide a timely decision on this petition. I appreciate your attention to this matter.

With best regards,

Sincerely,

Paul Sarbanes

Paul Sarbanes
United States Senator

PSS/jdp

Congress of the United States
Washington, DC 20515

September 13, 2004

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554-2101

Dear Chairman Powell:

This letter is in regard to the delay in the construction and deployment of advanced broadband networks, especially fiber-to-the-premises, in Massachusetts. As you know, this delay is a direct result of the Commission's inability to resolve conflicting regulatory interpretations of Sections 251 and 271 of the Telecommunications Act of 1996 ("the 1996 Act").

Broadband deployment is an important economic driver for the economy of Massachusetts as well as the nation as a whole. This deployment will create new jobs, spur business investment, provide our children with unprecedented educational opportunities, and augment health care capabilities and services through telemedicine programs in our state. Fiber-to-the-premises represents a major advance in broadband capability and therefore is particularly important for our constituents.

The Commission's Triennial Review Order eliminated regulations that required Bell Operating Companies (BOCs) to share with competitors new investments they make in certain broadband infrastructure, including fiber-to-the-premises, under Section 251 of the 1996 Act. However, the Commission's Order failed to make clear that similar sharing obligations under Section 271 of the Act were also to be eliminated with respect to broadband investments.

As a result of this regulatory disconnect, the perpetuation under Section 271 of network sharing regulations as they pertain to broadband investments is having a perversely discriminatory impact on Massachusetts' consumers, businesses, education and health care providers. For instance, Verizon facilities in Massachusetts and other Northeast and Mid-Atlantic States are constrained by regulations under Section 271 of the 1996 Act. Verizon facilities outside of these areas are free to be upgraded with fiber-to-the-premises investments, because those facilities are not subject to Section 271. For this reason, we are extremely concerned that this continuing regulatory inconsistency is depriving our constituents of vital communications resources and 21st century opportunities.

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With more than 100,000 workers, the communications industry is a vital part of the Massachusetts economy; encouraging broadband investment across all states will provide a much-needed boost to this sector, growing jobs, and encouraging the next wave of technological innovation.

The Commission has already reached the fundamental legal and policy conclusion that in order for broadband investments to flourish, network sharing regulations must not apply to them. The Commission should create uniformity in its regulations and forebear from requiring sharing of broadband networks under Section 271 of the 1996 Act as quickly as possible.

Thank you for the opportunity to comment on this matter. If we can provide any further information, please do not hesitate to contact us directly.

Sincerely,

STEPHEN F. LYNCH
Member of Congress

RICHARD E. NEAL
Member of Congress

MICHAEL E. CAPUANO
Member of Congress

JAMES P. MCGOVERN
Member of Congress

Congress of the United States

Washington, DC 20515

September 8, 2004

Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

We are writing to express our support of your efforts to encourage investment in new broadband facilities by incumbent and competitive communications companies. Broadband is the logical evolution of our nation's communications infrastructure. It is also an important strategic asset in our nation's leadership role in the global economy.

We are concerned, however, that certain regulatory policies – or more accurately, questions about regulatory policies – are constraining the very investment we hope to encourage. Specifically, uncertainty about unbundling obligations for new fiber investment under Section 271 of the Telecommunications Act of 1996 and the lack of expressed definitions for the terms "mass market" and "enterprise have given incumbent carriers cause for holding back investment in fiber in their operating regions and our districts.

Recently, a group of fiber optic manufacturing companies wrote you to implore you to adopt or clarify policies that will make it easier to deploy fiber optics to our constituents. Corning, one of the leading manufacturers in New York, is the first company listed on the letter. We agree with the fiber optic manufacturing companies that the FCC should: 1) clarify that Section 271 does not require Bell operating companies to unbundle broadband facilities; 2) clarify the bright line between the mass market and the enterprise market; and 3) permit Internet service providers (ISPs) to enter into agreements to use fiber optic platforms for the provision of high-speed Internet access without the need to comply with tariff regulations.

Today, the United States is 11th in broadband use and deployment. And as the United States moves closer to a virtual economy run through the Internet, we must ensure that businesses and consumers have access to new fiber with the capacity to handle the flow of commercial data. The over-regulation of DSL is one of the reasons the U.S. has fallen behind and we must work to ensure it does not happen with fiber-to-the premises technology.

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We urge you to bring closure to these issues so that private investment in our future broadband infrastructure can commence in an environment of greater regulatory certainty.

Thank you for your attention to this matter, we look forward to your swift action.

Sincerely,

Vito J. Fossella
Member of Congress

Eliot Engel
Member of Congress

Ed Towns
Member of Congress

PLEASE RESPOND TO:
WASHINGTON OFFICE:
1710 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3206
(202) 225-3461
FAX: (202) 226-4169

DISTRICT OFFICES:
156-06 LINDEN BOULEVARD
ST. ALBANS, NY 11412
(718) 949-5800
FAX: (718) 949-5972

1331 MOTT AVENUE, ROOM 305
FAR ROCKAWAY, NY 11691
(718) 327-9791
FAX: (718) 327-4722

106-11 LIBERTY AVENUE, 2ND FLOOR
RICHMOND HILL, NY 11417
(718) 738-4200
FAX: (718) 738-5589

Congress of the United States
House of Representatives

GREGORY W. MEEKS
6TH DISTRICT, NEW YORK

August 24, 2004

COMMITTEES:
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INTERNATIONAL RELATIONS
SUBCOMMITTEES:
AFRICA
EAST ASIA AND THE PACIFIC

WHIP
CONGRESSIONAL BLACK CAUCUS

Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW - Room 8-B201
Washington, D.C 20554

Dear Mr. Powell:

Broadband Internet access is one of the most potentially beneficial resources available to my constituents. Policymakers must do all we can to eliminate the "digital divide" that threatens to segregate our citizens into communities of information "haves" and "have nots."

I am encouraged by signs that broadband deployment by our country's telecommunications companies is on the increase, be it cable modem service, telecommunications company DSL, or fiber-based services. But I am extremely concerned that regulatory uncertainty is serving as a bottleneck for more aggressive fiber deployment by incumbent telecommunications companies.

Clearly, the next generation of broadband is fiber-to-the-premises ("fttp"). Companies are beginning to roll out this technology, but I have not seen this in my district, or anywhere else in New York. Regulators need to encourage widespread deployment of this technology, so that my constituents, as well as all Americans, will not be left behind using yesterday's network. The best way to do this is to eliminate discrepancies in regulatory policy regarding broadband facilities and bring clarity to two critical regulatory issues: the unbundling obligations required by Section 271 of the Telecommunications Act and the definition of "mass market" and "enterprise" customers as referenced in your Triennial Review Order.

Until there is regulatory clarity, there will be artificial restraints on the ability of companies to deploy fttp technology. Each restraint and each delay gets magnified, as the U.S. falls further and further behind in broadband deployment. The goal must be ubiquitous, reasonably priced broadband for all citizens who desire it. Regulatory policies that hinder that goal must be eliminated or modified.

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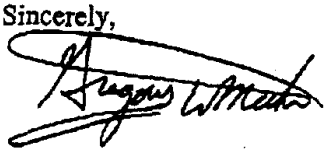
I would appreciate hearing from you regarding these issues at your earliest convenience.

With best regards, I am

Sincerely,



GREGORY W. MEEKS
Member of Congress

GWM/mm

STATE OF NEW YORK

GEORGE E. PATAKI
GOVERNOR

September 29, 2004

Dear Chairman Powell:

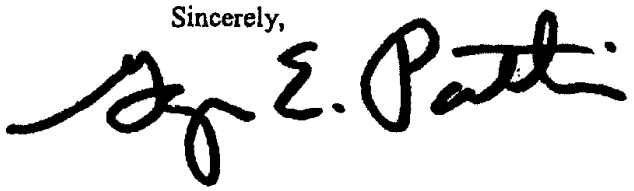
I am writing to ask for your support of an issue that is critically important to investment and economic development in New York--fiber-to-the-premises. This investment in fiber optics, delivered directly into homes and offices, offers the promise of very high-speed access to information, video, and new interactive services to New Yorkers.

Verizon is in the early phases of making these investments in, among other places, New York. However, as a former Bell company, Federal rules place this investment at real risk. The FCC can help clear the way for Verizon to continue this important technology roll out by ruling that Verizon does not have to offer unbundled access to this investment to its competitors. New York is very concerned that if the current rules were to remain effective, Verizon might be forced to curtail or end its fiber-to-the-premises investment plans in New York.

Importantly, Verizon does not have to offer unbundled access to fiber-to-the-premises technology in its western states since Verizon's operations in these states, being the former property of GTE, were never Bell companies. It is also noteworthy that cable companies, Verizon's largest competitor in this area, have no obligation to unbundle any portions of their broadband infrastructure.

The United States needs a consistent broadband policy that encourages corporations like Verizon to invest wherever it can, including New York. An important step toward achieving this policy is for the FCC to grant Verizon's forbearance petition as it relates to fiber-to-the-premises technology.

Sincerely,



The Honorable Michael Powell
Chairman
Federal Communications Commission
236 Massachusetts Avenue, N.E., Suite 110
Washington, D. C. 20002

United States Senate

WASHINGTON, DC 20510

September 9, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

We are writing to you regarding the Federal Communications Commission's efforts to promote deployment of broadband facilities to all Americans. This is particularly important to our constituents in Pennsylvania who benefit greatly from the wealth of high-speed, Internet-based information and services.

Your recent Triennial Review Order has been effective in ensuring that regulatory barriers do not serve as a disincentive to deployment. However, incumbent telecommunications carriers appear to be troubled by ambiguities in the Order and are deploying broadband facilities on a more conservative timetable. We are informed that in Pennsylvania, for example, different regulations apply to the former GTE territory than to the former Bell Atlantic territory. We must continue to work towards a fair competitive environment to encourage further broadband deployment.

We would appreciate hearing from you about the FCC's plans to address this important issue. By encouraging broadband investment, we will help meet the goal of universal broadband deployment by 2007. Please do not hesitate to contact us should you have any further questions or concerns.

Thank you for your attention and assistance in this matter.

Sincerely,

Arlen Specter

Rick Santorum

Congress of the United States
Washington, DC 20515

September 23, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

The Federal Communications Commission (FCC) recently released its Fourth Report to Congress on the Availability of Advanced Telecommunications Capability in the United States. While we are pleased to see that more people in the United States are accessing the Internet via broadband, the report reveals some very disturbing trends.

The United States still lags behind ten other industrialized nations in broadband penetration. Most notably, Korea has three times the broadband penetration of the U.S. Countries such as Iceland, Canada, Denmark and the Netherlands have greater broadband penetration.

Even more disturbing is that regulatory policy seems to favor one type of broadband provider over another. According to the report, cable modem service, which is virtually unregulated, has captured 58 percent of the high-speed lines (at least 200 kbps one way transmission). ADSL, provided by telephone companies, and still under significant FCC regulation, has captured only 34 percent of the market (the rest of the market is served by other technologies).

The next generation of broadband is fiber. Fiber-to-the-premises (FTTP) offers speeds up to ten times faster than the current fastest broadband technology. We are particularly curious about your statement in the report regarding FCC regulation of fiber. You stated, "The Commission has taken key steps to promote broadband deployment. We removed unbundling requirements on newly deployed fiber-to-the-home, where there is competition from cable, which clears the way for telephone companies to deploy infrastructure to serve the broadband and video needs of the 21st century." That appears to be true only if you are not a former Bell Operating company (BOC).

It is our understanding that the FCC's Triennial Review order (TRO) removed the broadband unbundling requirements from section 251 (applying to all local exchange carriers), but reimposed them under section 271, applying only to BOCs. As BOCs still serve a majority of the citizens of the United States (and a majority of the residents of Pennsylvania), it seems that the Commission has only taken partial steps.

Verizon, the BOC serving Pennsylvania, still has broadband unbundling requirements for the customers served by the former Bell Atlantic. For customers formerly served by the former GTE before the Bell Atlantic-GTE merger that formed Verizon, those same restrictions do not apply.

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Fiber unbundling is required in one town, but not in the adjacent town. This makes little sense, and certainly serves as a disincentive to the provision of new fiber services throughout the Keystone state.

It is our understanding that the FCC has pending proceedings that would resolve this anomaly. We urge you to act on these proceedings with all due haste and ask that you respond to us with your plans in this regard. It is extremely important that we do not strangle the next generation of broadband technology with the last century's telephone regulations.

Sincerely,

James C. Greenwood
Member of Congress

Phil English
Member of Congress

Jim Gerlach
Member of Congress

Melissa Hart
Member of Congress

Tim Murphy
Member of Congress

Bill Shuster
Member of Congress

Curt Weldon
Member of Congress

Congress of the United States

Washington, DC 20515

September 24, 2004

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Powell:

The Federal Communications Commission (FCC) recently released its Fourth Report to Congress on the Availability of Advanced Telecommunications Capability in the United States. While we are pleased to see that more people in the United States are accessing the Internet via broadband, the report reveals some very disturbing trends.

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Sincerely,

Tim Holden
Member of Congress

Robert A. Brady
Member of Congress

John P. Murtha
Member of Congress

Congress of the United States

Washington, DC 20515

September 22, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

Broadband, in its current incarnation as well as the next generation fiber-to-the-premises technology, is critical in the information age. The United States needs broadband networks to be vibrant and widely available. Congress understood the need to balance deployment of these advanced services with the need for a competitive market when the Telecommunications Act of 1996 required a periodic review of regulatory barriers.

However, it is our understanding that the most recently issued Triennial Review Order (TRO) may have caused more confusion than clarity in broadband deployment. Specifically, it appears that public pronouncements and language in one section of the TRO signaled the FCC's efforts to remove old telephone regulations from new broadband networks. In another section, it is unclear whether those rules still apply to companies regulated under Section 271.

It is our understanding that Verizon has a petition pending before the FCC that would clarify the intent of FCC's broadband rules. Until the FCC rules on this petition, companies may delay the deployment of new networks, and consequently stunt the economic growth that will come from a new generation of broadband networks.

The hallmark of the Telecommunications Act of 1996 was increased competition and greater choice for consumers, and, in that spirit, we ask that you reach a prompt resolution on this matter pursuant to all applicable rules and regulations. We look forward to your response and appreciate your consideration.

Sincerely,

Jack Reed
United States Senator

Lincoln Chafee
United States Senator

Patrick Kennedy
Member of Congress

Jim Langevin
Member of Congress

PRINTED ON RECYCLED PAPER

GEORGE ALLEN
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FOREIGN RELATIONS
SMALL BUSINESS AND ENTREPRENEURSHIP

United States Senate

September 15, 2004

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

The Commission is currently considering a forbearance petition filed by Verizon regarding unbundling obligations contained in the Triennial Review Order. Specifically, the company is seeking clarification of the discrepancy regarding the unbundling of broadband facilities contained in sections 251 and 271 of the 1996 Telecommunications Act. I have been informed that from a strategic business perspective, current regulations encourage broadband deployment in the sections of Virginia formerly served by GTE, but discourage investment in areas formerly served by Bell Atlantic. In an effort to further encourage the build-out of more robust broadband facilities, like fiber-to-the-premises, I respectfully urge the Commission to work towards a fair competitive environment to encourage the availability of further broadband facilities.

I applaud the Commission's efforts to promote deployment of broadband to all Americans. I believe that no provider of broadband should be subject to greater regulation than any other broadband provider. The Commission needs to provide the leadership and the certainty necessary for the industry to properly plan and invest in these networks, and needs to do it now. Until there are clear broadband rules, broadband deployment will be further delayed, and my constituents will be denied full access to the next generation broadband network.

Thus, to encourage the build-out of more robust broadband facilities and opportunities for consumers, I respectfully request the FCC to make as prompt a decision as is practicable on this forbearance petition.

I thank you for your important attention to this matter. Please treat this letter in conformance with all applicable procedural rules and ethical guidelines.

With warm regards, I remain

Sincerely,

George Allen

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JOHN WARNER
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United States Senate

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September 28, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

Like President Bush, I believe broadband deployment is a key priority for our country. We simply cannot risk falling further behind the rest of the world in our ability to access the Internet and all its resources with the most efficient facilities available today. I am encouraged by the Commission's light regulatory approach to promote broadband deployment.

However, I have been told that some elements of your Triennial Review Order have generated confusion for some and I am concerned about the potential affect on deployment of fiber in Virginia. For example, it is my understanding that the FCC rules may require the unbundling of new fiber-to-the-premises (FTTP) networks in some states but may not in others. Certainly, the intent of the FCC is not to create a situation of regulatory confusion for providers or their customers.

In the interest of expanded access to broadband services for consumers and clarified business opportunities for providers, I would appreciate quick action on Verizon's forbearance petition from the Commission.

The people of Virginia thank you for your consideration and ensuring a fair, competitive environment for broadband services in Virginia.

With kind regards, I am

Sincerely,

John Warner

JW/hb

Congress of the United States
House of Representatives
Washington, DC 20515

September 16, 2004

The Hon. Michael K. Powell
Federal Communications Commission, Chairman
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Chairman Powell:

We are writing you to express our concern regarding the regulatory treatment of the next generation broadband, particularly fiber-to-the-premises (FTTP). This is an extremely important issue to Virginia and the nation.

In the Federal Communications Commission's (FCC) Triennial Review order (TRO) issued last year, the FCC declined to impose unbundling obligations on next generation fiber networks under section 251. The FCC concluded "relieving incumbent LECs from unbundling requirements for these networks *will promote investment in, and deployment of, next-generation networks.*" (Italics added). We could not agree more. Unfortunately, later in the TRO, it appears as though the FCC reimposed those same unbundling obligations on the former Regional Bell Operating companies (RBOCs) under section 271.

Unbundling obligations add enormously to the cost and complexity of these new networks, undermine an RBOC's ability to recover the cost of the massive and risky investment needed to deploy these networks, and deter or delay future roll-outs. Broadband networks are fundamentally different from previous circuit switched architectures. Requiring access to separate elements of these new networks would require a significant redesign of these integrated fiber networks to create new and artificial points of access to individual network components. Without a clear signal that fiber is not required to be unbundled, the RBOCs face a significant regulatory risk if they deploy FTTP in-region.

The problem is particularly acute in Virginia. Verizon serves a majority of customers in Virginia. Verizon was formed by the merger of Bell Atlantic, an RBOC, and GTE, a non-RBOC that served some areas of Virginia. In the areas of Virginia served by the former GTE, the FCC rules do not require Verizon to unbundle FTTP network facilities. In the areas of Virginia served by the former Bell Atlantic, the FCC rules appear to impose an unbundling obligation on FTTP network facilities. Verizon could deploy FTTP in Manassas without fear of unbundling, but could not do the same in neighboring Fairfax County. This regulatory disparity complicates the FTTP business case and needlessly hinders plans to invest in advanced technologies that would be beneficial to the citizens of Virginia.

The same rationale for removing the section 251 unbundling obligations from non-RBOCs applies to removing the restrictions from RBOCs. These are new broadband networks, not the imbedded legacy telecommunications network. Telephone companies are not even the majority player in broadband. That distinction belongs to the cable industry, which controls 60 percent of the broadband market.

It is time for the FCC to send a clear signal that FTTP network facilities do not have to be unbundled. New 21st century networks should not be subject to 20th century voice telephone regulations.

We would appreciate a response from you regarding your plans to clear up the 251/271 disparity or your rationale for not addressing this issue of importance to our state.

Sincerely,

Bob Goodlatte
Member of Congress

Rick Boucher
Member of Congress

cc: Commissioner Kathleen Q. Abernathy
cc: Commissioner Jonathan S. Adelstein
cc: Commissioner Michael J. Copps
cc: Commissioner Kevin J. Martin

JO ANN DAVIS
FIRST DISTRICT, VIRGINIA

COMMITTEES:
ARMED SERVICES

HOUSE PERMANENT SELECT
COMMITTEE ON INTELLIGENCE

INTERNATIONAL RELATIONS

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House of Representatives
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September 21, 2004

Chairman Michael K. Powell
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Powell:

I am encouraged by the Commission's movement, under your leadership, to recognize that the former Regional Bell Operating Companies will be encouraged to deploy broadband if the FCC does not impose unbundling requirements on the new broadband networks. Specifically, the Commission chose not to impose such requirements under Section 251. However, I am concerned that the Commission has not acted, similarly, to clarify that unbundling requirements also are not imposed under Section 271.

This discrepancy and uncertainty discourages investment by Verizon in sections of Virginia formerly served by Bell Atlantic, although investment is encouraged in areas of Virginia formerly served by GTE.

The discrepancy makes no sense from any point of view: On a public policy basis, the unbundling objective for the old, twisted copper pair telephone network has already been met; Verizon opened the old network to competitors and, therefore, the FCC admitted Verizon into the long distance business in Virginia—and everywhere else. Furthermore, competition already exists in provision of broadband services, so the Bells should not be treated as a monopoly when they now begin spending billions of dollars to build broadband networks to compete with cable. And, on a consumer basis, such broadband investment by the Bells will give consumers competitive choices in selecting their providers of health, education, information and entertainment services.

I urge you to act now on Verizon's Section 271 unbundling forbearance petition, so that broadband can be deployed as quickly as possible throughout the entire State of Virginia.

Please let me know how you intend to proceed on removing this negative 251/271 regulatory disparity. Thank you for your consideration of my concern.

With kind regards, I remain

Sincerely,

Jo Ann Davis
Member of Congress

JAD:br

PRINTED ON RECYCLED PAPER

August 13, 2004

RECEIVED
AUG 13 2004
Federal Communications Commission
Office of Secretary

The Honorable Michael K. Powell, Chairman
The Honorable Kathleen Q. Abernathy, Commissioner
The Honorable Kevin J. Martin, Commissioner
The Honorable Michael J. Copps, Commissioner
The Honorable Jonathan S. Adelstein, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 04-242 and CC Docket No. 01-338

Ex Parte Filing (Via Hand Delivery)

Dear Chairman Powell and Commissioners:

Very often decisions made in one place have a dramatic impact on life somewhere else. The undersigned companies are writing to discuss the impact of several such decisions: one already made by Verizon, and others to be made – hopefully soon – by each of you.

Much has already been written about Verizon's decision to deploy fiber optics to the premises of its customers. There are many projected benefits; crystal clear voice and data transmissions and an alternative media for the delivery of video content. The prospects for new services delivered over fiber will only be limited by the imagination of our nation's entrepreneurs.

But we would like to focus instead on the impact Verizon's decision has had so far on our companies and on the impact your decisions will have on our respective firms and the telecommunications manufacturing industry as a whole.

Collectively, we are small and large companies that have been awarded contracts to make components for the Verizon fiber optic network upgrade project. We've hired numbers of employees at several locations throughout the United States, dedicated to ensuring ubiquitous broadband adoption for all Americans. But, as you know, these have not been the best of times for telecommunications-related companies, yet we want to safeguard these critical jobs in order to fulfill the broadband promise.

Verizon's 2004 plans for fiber optic deployment are now firm. The company has committed to bringing new fiber optic technology to one million households by the end of the year at a cost of $1 billion. But its plans for 2005 and beyond are more tentative. For example, although Verizon has indicated that it hopes to extend its new fiber optic network to an additional two million households in 2005, the company also has made

clear that a final decision about how fast to pursue network modernization in 2005 and beyond will depend in part on the regulatory environment which exists at that time.

If Verizon proceeds with its initial deployment plans, we would expect that workforces at our respective manufacturing facilities will grow over time. But it doesn't stop with just Verizon or our companies. If Verizon's deployment is successful, we would expect other large telcos to reassess their business risk and begin modernizing their networks too – resulting in even more buying by telcos and more hiring by us and numerous other telecom manufacturing companies.

Verizon's deployment decision – and the other companies' decisions as well – hinges, to a large extent, on a number of factors including importantly, decisions made in your respective offices.

In order to create a regulatory environment that is conducive to the rapid and widespread deployment of fiber infrastructure in ILEC loop plant, we would urge the Commission to move quickly to provide that regulatory relief that ILECs have asked your agency to provide. In the short term, the FCC should take at least the following three steps:

(1) The Commission should make clear that ILECs are not required to provide broadband facilities to competitors as UNEs under <u>any</u> section of the Communications Act. The FCC held more than one year ago in the Triennial Review Order ("TRO") that requiring ILECs to provide broadband facilities to competitors as UNEs creates a disincentive for both ILECs and their competitors to invest in new broadband infrastructure and for that reason the agency repealed the requirement that ILECs provide broadband facilities as UNEs under Section 251. Early last fall, ILECs petitioned the FCC to make clear that the agency's finding in the TRO means that ILECs need not provide broadband facilities to competitors as UNEs under <u>any</u> section of the Act, rather than under Section 251 alone. Verizon also petitioned for forbearance from Section 271 obligations for broadband elements the Commission already determined that do not require unbundling under Section 251 in a separate filing in this docket. The Commission has not yet taken action on these ILEC requests, notwithstanding the agency's own conclusion that the result is a disincentive to invest in fiber and other broadband infrastructure.

(2) The Commission should clarify as Verizon has requested that a "bright line" distinction be established between "mass market" and "enterprise" customers served by broadband service providers. Enterprise business customers, generally speaking, already have access to high-speed networks and applications. Like their larger counterparts, small businesses also stand to benefit from fiber-based deployments. Ensuring definitional clarity regarding "mass market" and "enterprise" customers will provide service providers with greater certainty concerning their respective investments and ensure the benefits of broadband are realized on a local, regional and national scale. Failure to clarify these distinctions could reduce the incentive that Verizon and ILECs have to deploy

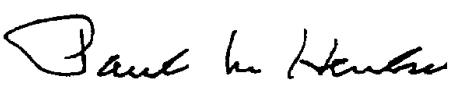
fiber loop infrastructure on a rapid and widespread basis by reducing overall revenues ILECs could expect from such deployment.

(3) The Commission should grant the petitions that Verizon filed in Docket 04-242 requesting freedom to enter agreements with ISPs for the use of Verizon's new FTTP fiber optic platform for the provision of high-speed Internet access service without the need to comply with tariff regulations. The Commission already has granted cable TV companies authority to enter agreements with ISPs to use cable networks without the need to comply with such regulations based in large part on the agency's conclusion that cable operators otherwise might slow their network modernization plans. By direct analogy, failure to grant the same relief to Verizon could cause that company to slow the pace at which it pursues its fiber loop infrastructure modernization plans.

Mr. Chairman and fellow Commissioners, the workers in our plants, the employees in our industry, and the many consumers and businesses that depend on advanced telecommunications services have seen our jobs lost or moved overseas. We have seen our country lose its standing as the leader in advanced telecommunications networks. And we have waited for a "tipping point," an indication that a change is about to occur that will get our industry back on stable ground. We believe the Verizon fiber deployment initiative may be an important first step in our industry's recovery.

The decisions you make regarding the deployment of advanced broadband network technology will have a profound impact on our companies and the communities where our employees live and work. While the recent decision eliminating unbundling requirements for fiber buildouts in multi-dwelling buildings will encourage increased broadband deployments by service providers, additional clarification is needed in order to ensure continued deployment and ubiquitous adoption of broadband applications, services and technologies. Our firms and our employees are counting on each of you to act quickly and decisively to encourage investment in 21st century communications technology.

Thank you,



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cc: Marlene H. Dortch, Secretary
William Maher, Chief Wireline Competition Bureau

TRAC

Telecommunications Research & Action Center Post Office Box 27279 Washington, D.C. 20005 (202) 263-2950

August 27, 2004

The Honorable Michael K. Powell, Chairman
The Honorable Kathleen Q. Abernathy, Commissioner
The Honorable Kevin J. Martin, Commissioner
The Honorable Michael J. Copps, Commissioner
The Honorable Jonathan S. Adelstein, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: WC Docket No. 04-242 and CC Docket. No. 01-338 – *Ex Parte*

Dear Chairman Powell and Commissioners:

We, the undersigned, are advocates and supporters of the Commission's ongoing efforts to accelerate the deployment of broadband technologies to all residential consumers, especially to the most vulnerable individuals in our society. We thank you for the clarification in the Triennial Review Order that assures that multi-unit premises (MUPs), such as apartment buildings, are treated like single-family homes (with no requirements for providers to share or "unbundled" their networks), rather than like large businesses (subject to unbundling requirements).

However, we are disappointed that there continues to be other regulatory impediments that prevent the industry from making the full commitment of resources necessary to accelerate deployment to consumers. Specifically, we add our voices to those who are urging the Commission to clarify that when it repealed the Section 251 unbundling requirements of the Telecommunications Act of 1996 it did not intend to leave similar requirements in place under Section 271. The Commission's failure to make this simple clarification continues to prevent aggressive deployment to consumers because it imposes significant uncertainty on the industry. The cost of this regulatory uncertainty is enormous particularly to residential and small business consumers and to the economy.

We strongly urge the Commission to grant the pending forbearance request under Section 271. At the same time, it is imperative that the Commission ensure that consumers benefit from this forbearance. Therefore, we believe that the Commission must guarantee that the pace of deployment increases, especially for our nation's underserved population: people with disabilities, seniors, lower income, rural, minority and small business consumers.

Respectfully submitted by the undersigned,

Dirck A. Hargraves
Counsel
Telecommunications Research and Action Center
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Washington, DC 20005
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Executive Director
Deafness Research Foundation/ National Campaign for Hearing Health
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President and CEO
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Leroy Watson
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Andrew J. Imperato
President and CEO
American Association of People with Disabilities
1629 K. Street, NW, Suite 503
Washington, DC 20006

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NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
1025 VERMONT AVENUE, N.W. • SUITE 1120 • WASHINGTON, D.C. 20005
(202) 638-2269 FAX (202) 638-5936

August 19, 2004

The Honorable Michael K. Powell, Chairman
The Honorable Kathleen Q. Abernathy, Commissioner
The Honorable Kevin J. Martin, Commissioner
The Honorable Michael J. Copps, Commissioner
The Honorable Jonathan S. Adelstein, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 04-242 and CC Docket. No. 01-338

Ex Parte Filing

Dear Chairman Powell and Commissioners:

I am writing to urge you to expedite the FCC regulatory process that would clarify Section 271 of the Telecommunications Act of 1996. By granting broadband service providers, such as Verizon and other companies that seek to expand and deploy broadband with the necessary regulatory tools, we are convinced broadband services would be more comprehensively deployed in underserved communities, including communities of color. As you are aware, the National Association for the Advancement of Colored People (NAACP) is the nation's oldest, largest and most widely recognized grass- roots based civil rights organization. The NAACP's principal objective is to ensure the political, educational, social and economic equality of racial and ethnic minority group citizens of United States and to eliminate race prejudice. The NAACP seeks to remove all barriers of racial discrimination through democratic processes. Accordingly, the NAACP views the removal of barriers to the ubiquitous deployment of broadband as instrumental in ensuring that all Americans have access to affordable, comprehensive communications services, particularly consumers in high-cost service areas, low-income consumers, schools, libraries and urban and rural health care providers.

Most of our constituents are racial and ethnic minorities and all too many of them live in underserved communities. Without a consistent and fair national

broadband policy, companies are hesitant to invest in new technologies providing this much- needed service and creating urgently needed jobs. We have followed this issue not only because we believe technology is a driving competitive force, but the technology sector is one of the most likely places to find viable employment for Americans. Without the right tools, our constituents will continue to be left behind and unable to compete in an increasing technologically-driven global economy.

If there is anything else we can do to assist you in expediting this process, I can be contacted at (202) 638-2269.

Thank you for your attention to this important matter.

Sincerely,

Hilary O. Shelton
Director

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Tina Cordova
Chair

J. R. Gonzales
Acting President & CEO

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San Juan, PR

*Regional Chair

September 2, 2004

The Honorable Michael K. Powell
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338,
Ex Parte Filing

Dear Chairman Powell:

On behalf of the United States Hispanic Chamber of Commerce (USHCC), we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

For twenty five years the USHCC has been committed to bringing the issues and concerns of the nation's more than 1.6 million Hispanic-owned businesses to the forefront of the national economic agenda. Through its network of more than 130 local Hispanic Chambers of Commerce and Hispanic business organizations, the USHCC effectively communicates the needs and potential of Hispanic enterprise to the public and private sector. We believe that broadband deployment is an issue worthy of our member's attention and we support the call for broadband deployment nationwide.

Technology plays an increasingly important role in helping American business stay competitive. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers and businesses. Many broadband applications can transform how businesses serve their customers and interact with vendors and government agencies. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services available to business nationwide.

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology.

Sincerely,

J.R. Gonzales
Acting President and CEO

Cc: Kathleen Q. Abernathy, Commissioner
Michael J. Copps, Commissioner
Kevin J. Martin, Commissioner
Jonathan S. Adelstein, Commissioner

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http://www.ushcc.com

USDLA®
UNITED STATES DISTANCE LEARNING ASSOCIATION

August 9, 2004

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338

Dear Chairman Powell:

On behalf of the United States Distance Learning Association, we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

The United States Distance Learning Association (USDLA) is the 501 (C) (3) professional organization for those involved in distance teaching and learning representing over 5,000 members. USDLA is committed to being the leading distance learning association in the United States. USDLA serves the needs of the distance learning community by providing advocacy, information, networking and opportunity. www.usdla.org

Technology plays an important role in the lives of many individuals enabling them to participate more fully within their own communities. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, in addition to the expanded educational opportunities it provides, have the potential to dramatically improve the lives of consumers. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services accessible for all persons.

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology.

Sincerely,

John G. Flores Ph.D.
Executive Director

8 Winter Street, Suite 508 • Boston, MA 02108-4705
Telephone: 800.275.5162 Fax: 617.399.1771
Website: www.usdla.org

USDLA®
UNITED STATES DISTANCE LEARNING ASSOCIATION

August 9, 2004

Commissioner Kathleen Q. Abernathy
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338

Dear Commissioner Abernathy:

On behalf of the United States Distance Learning Association, we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

The United States Distance Learning Association (USDLA) is the 501 (C) (3) professional organization for those involved in distance teaching and learning representing over 5,000 members. USDLA is committed to being the leading distance learning association in the United States. USDLA serves the needs of the distance learning community by providing advocacy, information, networking and opportunity. www.usdla.org

Technology plays an important role in the lives of many individuals enabling them to participate more fully within their own communities. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, in addition to the expanded educational opportunities it provides, have the potential to dramatically improve the lives of consumers. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services accessible for all persons.

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology.

Sincerely,

John G. Flores Ph.D.
Executive Director

8 Winter Street, Suite 508 · Boston, MA 02108-4705
Telephone: 800.275.5162 Fax: 617.399.1771
Website: www.usdla.org

USDLA®
UNITED STATES DISTANCE LEARNING ASSOCIATION

August 9, 2004

Commissioner Michael J. Copps
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338

Dear Commissioner Copps:

On behalf of the United States Distance Learning Association, we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

The United States Distance Learning Association (USDLA) is the 501 (C) (3) professional organization for those involved in distance teaching and learning representing over 5,000 members. USDLA is committed to being the leading distance learning association in the United States. USDLA serves the needs of the distance learning community by providing advocacy, information, networking and opportunity. www.usdla.org

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Telephone: 800.275.5162 Fax: 617.399.1771
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USDLA®
UNITED STATES DISTANCE LEARNING ASSOCIATION

August 9, 2004

Commissioner Jonathan S. Adelstein
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338

Dear Commissioner Adelstein:

On behalf of the United States Distance Learning Association, we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

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Sincerely,

John G. Flores Ph.D.
Executive Director

8 Winter Street, Suite 508 · Boston, MA 02108-4705
Telephone: 800.275.5162 Fax: 617.399.1771
Website: www.usdla.org

UNITED STATES DISTANCE LEARNING ASSOCIATION

August 9, 2004

Commissioner Kevin J. Martin
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338

Dear Commissioner Martin:

On behalf of the United States Distance Learning Association, we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

The United States Distance Learning Association (USDLA) is the 501 (C) (3) professional organization for those involved in distance teaching and learning representing over 5,000 members. USDLA is committed to being the leading distance learning association in the United States. USDLA serves the needs of the distance learning community by providing advocacy, information, networking and opportunity. www.usdla.org

Technology plays an important role in the lives of many individuals enabling them to participate more fully within their own communities. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, in addition to the expanded educational opportunities it provides, have the potential to dramatically improve the lives of consumers. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services accessible for all persons.

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Sincerely,

John G. Flores Ph.D.
Executive Director

8 Winter Street, Suite 508 · Boston, MA 02108-4705
Telephone: 800.275.5162 Fax: 617.399.1771
Website: www.usdla.org

Organizations Concerned about Rural Education

901 Monroe Street N., #1507
Arlington, VA 22201
703-469-1443
cconrad37@comcast.net

President.....Dale Lestina
Vice President.....Kari Arfstrom
Secretary-Treasurer..Christopher Schepis
Trustees....Steve Kohn, Randy Moody
Executive Director....Charles Conrad

Member Organizations

American Association of School Administrators
American Association of State Colleges and Universities
American Library Association
Communicating for Agriculture
Forest Counties School Coalition
M W Financial, Inc.
National Association of Counties
National Association of Elementary School Principals
National Association of Federally Impacted Schools
National Association of Secondary School Principals
National Association of State Boards of Education
National Education Association
National Education Knowledge Industry Association
National Farmers Union
National Grange
National Indian School Boards Association
National Rural Education Association
National Rural Electric Cooperative Association
National Rural Telecommunications Cooperative
National School Boards Association
North Country Education Foundation of New Hampshire
Northpoint Technology, Ltd.
Public Education Network
Rebuild America's Schools
Rural School and Community Trust
Rural Telephone Finance Cooperative
Small School Districts' Association
Verizon Communications

August 30, 2004

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338,

Ex Parte Filing

Dear Chairman Powell:

On behalf of the Organizations Concerned about Rural Education (OCRE), we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

OCRE is a coalition of 28 national organizations that supports efforts to improve the public schools in rural America. Its member organizations advocate the use of modern communications technology to overcome the distances and lack of resources that often handicap the students in rural and small town schools. Technology can play an important role in bringing quality education to rural students.

While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, have the potential to dramatically improve the lives of Americans living in rural areas. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in

better service quality, innovative packages, and competitive prices, making these services accessible for rural communities.

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology in rural America.

Sincerely yours,

Dale Lestina

Dale Lestina
President

美東華人學術聯誼會

Chinese American Academic & Professional Society (CAAPS)
315 Melbourne Road, Great Neck, New York 11021, USA
Tel: 516-482-7266, E-mail: CAAPS2004@yahoo.com

August 11, 2004

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338,

Ex Parte Filing

Dear Chairman Powell:

On Behalf of the Chinese American Academic & Professional Society (CAAPS), we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

INFORMATION ON ORGANIZATIONS.

Technology plays an important role in the lives of many individuals with disabilities enabling them to participate more fully within their own communities. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 721. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, have the potential to dramatically improve the lives of disabled users. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services accessible for people with disabilities.

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology.

Sincerely yours,

Feng-Bao Lin
President

Cuban American National Council, Inc.

...a human services organization

August 24, 2004

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: CC Dkt. No. 01-338,
Ex Parte Filing

Dear Chairman Powell:

On behalf of the Cuban American National Council (CNC), we urge the FCC to advance its broadband agenda by providing relief from Section 271 of the Telecommunications Act of 1996 to Verizon Communications for broadband internet services as requested in the above cited proceeding.

The Cuban American National Council, a non-profit organization providing human services to persons in need from all racial and ethnic groups. CNC assists individuals become self reliant and builds bridges among America's diverse communities.

Technology plays an important role in the lives of many individuals with disabilities enabling them to participate more fully within their own communities. While the FCC is considering a national broadband policy, we write to support Verizon Communications' request for forbearance from Section 271. Forbearance will enable the company to build its fiber network so that it can continue to offer services and provide additional telecommunications options for consumers. Many broadband applications, including real-time video relay interpreting, telemedicine, and contemporaneous monitoring, have the potential to dramatically improve the lives of disabled users. Through its fiber network, we believe Verizon will be a welcome competitor to cable operators, which could result in better service quality, innovative packages, and competitive prices, making these services accessible for people with disabilities.

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750 Office Plaza Boulevard • Suite 301 • Orlando, Florida 34744 • Tel: (407) 935-1375 • Fax: (407) 870-8677
http://www.cnc.org

Cuban American National Council, Inc.

...a human services organization

Thank you for providing us with the opportunity to comment on this important issue. The decisions you make regarding the deployment of broadband will have a profound impact on all consumers. We are confident that you will act in a quick and decisive manner so that companies like Verizon will be encouraged to invest in 21st century communications technology.

Sincerely,

Guarione M. Diaz
President

Cc: Commissioner Kathleen Q. Abernathy
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Kevin J. Martin

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