

Rural Alliance

Operationalized Merger Conditions

IP Conditions:

1. Merged companies and their Internet backbones cannot deny interconnection and cannot discriminate against smaller ISPs.
2. The FCC should open a proceeding to establish minimum terms and conditions for price and quality of service related to IP interconnection, including both IP backbone and middle mile connections. The Statement of Generally Available Terms and conditions (“SGAT”) that would result from this proceeding should be completed within twelve months. The SGAT will be reviewed by the FCC periodically to ensure that it continues to be reasonable in comparison to other prices paid in the marketplace.
3. Non-disclosure provisions in interconnection agreements should be deemed illegal.
4. Blocking or manipulating data to create a competitive advantage should be deemed illegal.
5. Existing IP interconnection arrangements between small ISPs and merged entities will be “grandparented” for at a minimum of five years.

Circuit-switched Conditions:

1. Compensatory access rates should be paid for both origination and termination of long-distance traffic.
2. Tandem switching rates should be cost-based for a period of five years. Merged companies cannot deny interconnection and cannot discriminate against smaller tandem providers.