

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

In the Matter of)	
)	
Development of Nationwide Broadband Data to)	
Evaluate Reasonable and Timely Deployment of)	WC Docket No. 07-38
Advanced Services to All Americans,)	
Improvement of Wireless Broadband)	
Subscribership Data, and Development of Data on)	
Interconnected Voice over Internet Protocol)	
(VoIP) Subscribership)	

COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY LLC

Respectfully submitted,

Jouett K. Brenzel
Cincinnati Bell Telephone Company LLC
221 E. Fourth Street, 103-1280
Cincinnati, OH 45202
(513) 397-7260

Attorney for Cincinnati Bell Telephone Company
LLC

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

In the Matter of)	
)	
Development of Nationwide Broadband Data to)	
Evaluate Reasonable and Timely Deployment of)	WC Docket No. 07-38
Advanced Services to All Americans,)	
Improvement of Wireless Broadband)	
Subscribership Data, and Development of Data on)	
Interconnected Voice over Internet Protocol)	
(VoIP) Subscribership)	

COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY LLC

Cincinnati Bell Telephone Company LLC (“CBT”) hereby submits comments to the Commission’s Notice of Proposed Rulemaking (“NPRM”) in the above-captioned docket that was released by the Commission on April 16, 2007, and published in the Federal Register on May 16, 2007. Generally, the NPRM seeks comment on how the Commission can improve the collection of data regarding the availability and deployment of broadband services across the country to assist it in meeting its statutory obligations under Section 706 of the Telecommunications Act of 1996.¹ More specifically, the Commission seeks comment on various approaches to obtaining data on broadband availability at a more granular level, including those methods used by ConnectKentucky to measure broadband deployment across the state of Kentucky. As a partner in the ConnectKentucky alliance and contributor to the data collection undertaken by ConnectKentucky, CBT offers these comments in response to the Commission’s inquiries.

¹ Telecommunications Act of 1996, codified at 47 U.S.C. § 151 *et. seq.*

BACKGROUND

CBT is an independent, mid-size local exchange carrier with its headquarters in Cincinnati, Ohio. CBT provides local exchange and Digital Subscriber Line (“DSL”) services to customers throughout the greater Cincinnati metropolitan area, including portions of Northern Kentucky and Southeast Indiana. CBT is a wholly owned subsidiary of Cincinnati Bell Inc.

CBT has filed Form 477s each of the fourteen times reporting has been required since 2000. CBT has also contributed to the local competition and broadband information collections undertaken by state agencies and other organizations, including Kentucky’s public-private partnership known as ConnectKentucky since its inception in early 2002.

DISCUSSION

CBT generally supports the Commission’s efforts to revise the manner in which it collects information about the availability of broadband services throughout the United States. More specifically, CBT believes that the Commission should adopt the approach employed by ConnectKentucky, namely using public and private resources to gather and analyze data related to broadband deployment in each area of the country.

CBT initially provided data on its DSL infrastructure in Northern Kentucky to ConnectKentucky for the publication of its first comprehensive report on broadband deployment in Kentucky in September 2002. Since that time, CBT has periodically updated that information as it has expanded its DSL network. As indicated in the NPRM, CBT provides the latitude and longitude information of its DSL-enabled wire centers and remote terminals so that ConnectKentucky can create maps of DSL broadband availability.² Thus, as the NPRM notes, when coupled with data from other broadband providers, a much finer level of geographic detail is known about broadband deployment and availability in Kentucky.

² NPRM at ¶ 36 and footnote 66.

CBT initially had to devote personnel resources to the development of latitude and longitude information for its DSL network in Kentucky specifically for the ConnectKentucky project. While the information was not especially difficult to ascertain, the time involved in doing so was considerable, even in CBT's relatively small operating area in Kentucky. Once the initial information was created, however, CBT has been able to update the data on a routine basis in order to provide timely information to ConnectKentucky. To ensure that such a data collection is not a burden to carriers, particularly those with extensive broadband facilities, CBT recommends that the Commission give providers ample time to develop the information in the normal course of business. CBT suggests that providers be given at least a year to eighteen months to absorb the personnel hours needed to provide this level of detail about broadband facilities.

Moreover, because such network detail is sensitive from both a security and a competitive perspective, CBT believes that this information should be granted confidential treatment and that it should not be publicly available on an individual carrier basis. In CBT's experience, the public-private nature of ConnectKentucky has afforded this information greater protection from open records requests than would be the case in a purely public forum. Thus, CBT recommends that the Commission consider the creation of a similar public-private partnership for the data collection and analysis at the federal level that could deliver aggregate information to the Commission for consideration. Alternatively, the Commission could encourage states to create such organizations based on the ConnectKentucky model, which would then provide aggregate information to the Commission. Using either approach, the Commission could protect the confidentiality of individual carrier information while still

obtaining the data necessary to fulfill its statutory requirements under Section 706 of the Telecom Act.

CBT asserts that deriving information about broadband availability from the location of broadband facilities is a better method for measuring broadband availability at the state or national level than using five-digit or even nine-digit Zip codes. As the Commission seems to recognize, it is not clear whether the use of customer totals at the 5-digit level of detail will provide an accurate picture of broadband availability in specific areas within a given Zip code.³ And, while customer totals at the 9-digit Zip code level seemingly provide more localized information, CBT does not believe that the additional 4 digits are well suited to this purpose. CBT agrees with recent statements made by Walter B. McCormick, Jr. of the U.S. Telecom Association that “‘Zip + 4’ designations exist for the sole purpose of ensuring efficient mail sorting and delivery....They do not correspond to any commonly recognized geographic boundaries, such as state or county lines, Congressional districts or service territories.”⁴ Thus, even if all carriers could provide the total number of customers with broadband service at the 5 or 9-digit Zip code level (and it is not clear that all carriers can provide this information), CBT suggests that the numbers will not provide meaningful insight into the status of broadband availability or as accurate a picture of such availability as could be obtained by mapping the location of broadband facilities as done by ConnectKentucky.

³ NPRM at ¶ 27.

⁴ See Statement of Walter B. McCormick, Jr., President and CEO of the U.S. Telecom Association to the House Committee on Energy and Commerce, Subcommittee on Telecommunications and the Internet, May 17, 2007. See also Statement of George S. Ford, Ph.D. and Chief Economist for the Phoenix Center for Advanced Legal & Economic Public Policy Studies.

CONCLUSION

In CBT's experience, ConnectKentucky provides an excellent model for mapping the availability of broadband facilities at a national level. CBT asserts that the location of broadband facilities provides the level of granularity sought by the Commission, which can be used to inform public policy initiatives to encourage future broadband expansion and use throughout the country. If the Commission chooses to employ a ConnectKentucky-like model, CBT urges the Commission to do so in a manner that provides the greatest confidential protection for the sensitive location data. CBT also suggests that the Commission grant service providers ample time to develop the latitude and longitude information during the normal course of business to minimize the burden on all providers required to supply the information to the Commission.

Respectfully submitted,



Jouett K. Brenzel
Cincinnati Bell Telephone Company LLC
221 E. Fourth Street, 103-1280
Cincinnati, OH 45202
(513) 397-7260

Attorney for Cincinnati Bell Telephone Company
LLC

June 15, 2007