

**STATEMENT OF
CHAIRMAN KEVIN J. MARTIN**

Re: Promotion of Competitive Networks in Local Telecommunications Markets, WT Docket No. 99-217

All consumers, regardless of where they live, should enjoy the benefits of competition. Today's Order eliminates exclusive contracts between telecom providers and owners of apartment buildings. This decision will help provide Americans living in apartment buildings with the same choices as people that live in the suburbs. This action follows in the footsteps of our recent Order to prohibit similar exclusive arrangements for video services offered in apartment buildings.

There is no reason that consumers living in apartment buildings should be locked into one service provider. Competition is ultimately the best protector of the consumer's interest. It is the best method of delivering the benefits of choice, innovation, and affordability to American consumers.

Consistent with my commitment to fostering a competitive marketplace and consumer choice, I have and will continue to encourage new entrants trying to break into both the voice and video markets. Importantly, our policies seek to support all new entrants and do not favor one technology or industry over another. Moreover, this Order demonstrates the Commission and my commitment to ensure we achieve regulatory parity by applying a consistent regulatory framework across platforms.

This Order demonstrates the Commission's commitment to ensure that all consumers—including those living in apartment buildings—benefit from competition in the provision of voice and video services.

**SEPARATE STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Promotion of Competitive Networks in Local Telecommunications Markets, WT Docket No. 99-217, Report and Order (Mar. 19, 2008)

Late last year the Commission prohibited video service providers from entering into exclusive contracts covering consumers who happen to live in multiple dwelling units (MDUs). At the time, I asked that the Commission conclude its open proceeding examining the permissibility of exclusive contracts for telecommunications services in the telecom equivalent of an MDU – a residential multiple tenant environment (MTE). Putting the nomenclature aside, the basic point is to offer people living in multiple tenant environments some of the same consumer benefits – competition and choices – as single-family homeowners. I'm pleased to support today's Order as the Commission fulfills its commitment to prohibit telecom carriers from entering into or enforcing exclusivity contracts with owners of MTEs.

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Promotion of Competitive Networks in Local Telecommunications Networks, WT Docket No. 99-217, Report and Order (Mar. 19, 2008).

Robust and fair competition across the communications landscape brings with it the benefits of consumer choice, lower prices, and greater innovation. So I am pleased to support this Order which eliminates a potential barrier to competition and choice in telecommunications service for the millions of Americans who live in apartment buildings, condominiums, and other so-called multiple tenant environments (MTEs).

This Order addresses the use of exclusive agreements between providers of telecommunications services and owners of residential MTEs. By finding that exclusive access arrangements amount to an unreasonable practice under the Communications Act, we remove a potential barrier that could hinder new entrants from offering telecommunications services to residential consumers in MTEs.

This Order builds on the steps we took last year to improve consumers' access to video services. In last year's Order, we banned the use of exclusive access arrangements for the provision of video services to multiple dwelling units. I am encouraged that we address such contracts for telecommunications services today. Whether it is voice or video, people living in apartment buildings and condominiums should not be shackled to one provider. This action alone will not solve our competition and broadband challenges, but it takes a worthy step by opening the door for many people to exercise their right to choose their own provider.

**STATEMENT OF
COMMISSIONER DEBORAH TAYLOR TATE**

Re: Promotion of Competitive Networks in Local Telecommunications Markets, First Report and Order and Further Notice of Proposed Rulemaking, WT Docket No. 99-217, 15 FCC Rcd 22983 (2000); Parties Asked to Refresh Record Regarding Promotion of Competitive Networks in Local Telecommunications Markets, WT Docket No. 99-217, CC Docket No. 96-98, Public Notice, 22 FCC Rcd 5632 (2007).

In the *Video Nonexclusivity Order* issued on November 13, 2007, the Commission banned exclusivity clauses in the video market and, in so doing, also agreed to consider the issues raised in the 2000 *Competitive Networks Further Notice of Proposed Rulemaking*.

I am pleased that today we fulfill that commitment by extending to residential buildings the prohibition against exclusivity contracts for telecommunications services (a ban that was already in place for commercial buildings). These market-opening competitive safeguards continue the policies and reasoning that the Commission recently adopted in the video context. I think we all recognize that exclusivity contracts in perpetuity are not in keeping with our pro-competitive market-opening policies and should be banned. In the interest of regulatory parity, it is essential that we seek to apply our rules consistently across all platforms in a timely manner. By taking this action we advance the 1996 Act's goals of enhancing choice for consumers no matter where they live.

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

Re: Promotion of Competitive Networks in Local Telecommunications Markets, WT Docket No. 99-217, Report and Order

Today, the Commission helps millions of Americans who live in apartments enjoy the same benefits of telecommunications competition that have been available to businesses since 2001. They too will now have a choice of telecommunications providers and not be hampered by exclusive contracts. Additionally, incumbent telecommunications service providers and new entrants will be on an equal footing when serving residential consumers in MTEs. I am hopeful that this decision will spur more competition among telecommunications providers in all MTEs. As I have said before, as regulators we need to make sure that competition for all services, and across all platforms does not stop, literally at the doorstep of any multi-unit building in America.

