



"Promoting consumer
choice and innovation
through advanced
facilities-based networks."

BRINGING FULLY COMPETITIVE BROADBAND TO AMERICA¹

October 27, 2008

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**RE: NARUC MOTION/REQUEST FOR PUBLIC COMMENT ON RECENTLY
CIRCULATED "REPORT AND ORDER, ORDER ON REMAND, AND FURTHER
NOTICE OF PROPOSED RULEMAKING" ON UNIVERSAL SERVICE AND
INTERCARRIER COMPENSATION REFORM.**

In the Matter of Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92, In the Matter of Petition of AT&T Inc. for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the ESP Exemption, CC Docket No. 08-152, In the Matter of IP-Enabled Services, WC Docket No. 04-36, In the Matter of Universal Service Contribution Methodology, WC Docket No. 06-122, In the Matter of Petition for Declaratory Ruling Filed by CTIA, WT Docket No. 05-194, In the Matter of Jurisdictional Separations & Referral to the Federal-State Joint Board, CC Docket No. 80-286

Dear Ms. Dortch:

The Broadband Service Providers Association ("BSPA") hereby submits this letter to express its support of the Motion for Public Comment filed by the National Association of Regulatory Utility Commissioners ("NARUC") on October 21, 2008.

We fully concur with NARUC and others that the Commission has not provided sufficient time for public comment on the specific order under consideration for action on November 4th. Our own preliminary analysis indicates that the order as drafted will negatively impact medium to smaller operators that are the primary service providers to rural markets. We fully agree with NARUC that the proposed reform plan "bears little resemblance to proposals the FCC has actually sought comments on." Given the projected impact of these new proposals the BSPA respectfully requests an opportunity to fully evaluate the impact and offer its own comments related to these proposed new rules. This action will come at a time when it is a national priority and part of our business plans to continue to expand competitive broadband services to new markets. These rules represent billion dollar decisions that will have both short term and long term impact to operations and investment plans. We agree with NARUC that any specific recommendations deserve at least a 90 day public comment period before action is taken.

The BSPA therefore recommends that the Commission only take action on those items that must be addressed by November 5th and issue a further notice for proposed rulemaking on the new proposed ICC/USF regulations.

¹ The current members of BSPA, all of which are last-mile, facilities-based providers, are: Hiawatha Broadband, Knology, RCN, and SureWest Communications. BSPA is located at 1601 K Street NW, Washington, DC 20006. Phone: 202.661.3945 Fax: 202.347.3457

Respectfully submitted,

John D. Goodman
Executive Director
Broadband Service Providers Association

Copy: The Honorable Kevin Martin, Chairman
The Honorable Jonathan Adelstein, Commissioner
The Honorable Michael Copps, Commissioner
The Honorable Robert McDowell, Commissioner
The Honorable Deborah Taylor Tate, Commissioner