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April 13, 2009

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Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, SW, Suite TW-A325
Washington, DC 20554

Re: In the Matter of the Commission's Consultative Role in the Broadband Provisions of the Recovery Act, GN Docket No. 09-40

Dear Ms. Dortch:

In the Public Notice released on March 24, 2009 in the above-referenced docket, DA 09-668, the Commission requested comments on its consultative role with regard to the Broadband Technologies Opportunities Program ("BTOP"), specifically in advising the National Telecommunications and Information Administration ("NTIA") and the Rural Utilities Service ("RUS") on (1) the definition of "unserved areas"; (2) the definition of "underserved areas"; (3) the definition of "broadband"; (4) the non-discrimination obligations that will be contractual conditions of Broadband Telecommunications Opportunities Program ("BTOP") grants; and (5) the network interconnection obligations that will be contractual conditions of the BTOP grants.

COMPTEL hereby submits for incorporation into the record in this docket the comments it has submitted to the NTIA and RUS on these five points. COMPTEL urges the Commission to advise NTIA and RUS to adopt rules consistent with those set forth in the attached comments. As the expert agency charged with overseeing the regulation of telecommunications matters, the Commission's advice on these matters is likely to be given significant weight. As set forth in its Comments, COMPTEL urges that the Commission advise NTIA and RUS to adopt rules for administration of the BTOP funds that will promote competition and that will require operators of networks funded by BTOP to make those taxpayer funded networks available on a wholesale, resale and discrete element basis to competing providers in an effort to ensure that customers in unserved and underserved areas have access to a choice of services, service providers and rate plans.

Respectfully submitted,

/s/ Karen Reidy
Vice President, Regulatory Affairs