

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Comment Sought on Transition from Circuit-  
Switched Network to All-IP Network

GN Docket Nos. 09-47, 09-51, 09-137

Comments on NBP Notice #25

**COMMENTS OF  
THE WASHINGTON INDEPENDENT TELECOMMUNICATIONS ASSOCIATION  
AND  
THE OREGON TELECOMMUNICATIONS ASSOCIATION**

**December 21, 2009**

The Federal Communications Commission (Commission) has stated that the intent of NBP Public Notice #25 is to "set the stage for the Commission to consider whether to issue a Notice of Inquiry (NOI) relating to the appropriate policy framework to facilitate and respond to the market-led transition in technology and services, from the circuit-switched PSTN system to an IP-based communications world." The Oregon Telecommunications Association (OTA)<sup>1</sup> and the Washington Independent Telecommunications Association (WITA)<sup>2</sup> are pleased to be able to offer their thoughts on this very important issue.

It is the position of OTA and WITA that the focus of any NOI issued on the transition from a circuit-switched PSTN to a broadband communications world should focus on the network. It is the network that provides the basis for any communications system, whether it be circuit switch-based or IP-based. There must be a vibrant network that provides connections to all parts of this nation for any communications system to work properly and to benefit all of the citizens of this nation.

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<sup>1</sup> OTA is a trade association whose members consist of rural incumbent local exchange carriers operating in the State of Oregon. Its members include the following companies: Asotin Telephone Company d/b/a TDS Telecom, Beaver Creek Cooperative Telephone Company, Canby Telephone Association d/b/a Canby Telecom, Cascade Utilities, Inc., CenturyTel of Oregon, Inc. d/b/a CenturyLink, CenturyTel of Eastern Oregon, Inc. d/b/a CenturyLink, Clear Creek Telephone & Television, Colton Telephone Company, Eagle Telephone System, Inc., Gervais Telephone Company, Helix Telephone Company, Home Telephone Company d/b/a TDS Telecom, Midvale Telephone Exchange, Molalla Communications, Inc. d/b/a Molalla Communications, Monitor Cooperative Telephone Company, Monroe Telephone Company, Mt. Angel Telephone Company, Nehalem Telecommunications, Inc., North-State Telephone Co., Oregon-Idaho Utilities, Inc., Oregon Telephone Corporation, People's Telephone Co., Pine Telephone System, Inc., Pioneer Telephone Cooperative, Roome Telecommunications Inc., St. Paul Cooperative Telephone Association, Scio Mutual Telephone Association, Stayton Cooperative Telephone Company, Trans-Cascades Telephone Company and United Telephone Company of the Northwest, d/b/a CenturyLink.

<sup>2</sup>WITA is a trade association that represents rural incumbent local exchange carriers operating in the State of Washington. Its members include: Asotin Telephone Company d/b/a TDS Telecom, CenturyTel of Cowiche, Inc., d/b/a CenturyLink, CenturyTel of Inter-Island, Inc., d/b/a CenturyLink, CenturyTel of Washington, Inc., d/b/a CenturyLink, Ellensburg Telephone Company d/b/a FairPoint Communications, Hat Island Telephone Company, Hood Canal Telephone Co., Inc. d/b/a Hood Canal Communications, Inland Telephone Company, Kalama Telephone Company, Lewis River Telephone Company, Inc. d/b/a TDS Telecom, Mashell Telecom, Inc. d/b/a Rainier Connect, McDaniel Telephone Co. d/b/a TDS Telecom, Pend Oreille Telephone Company, Pioneer Telephone Company, St. John Co-operative Telephone and Telegraph Company, Tenino Telephone Company, The Toledo Telephone Co., Inc., Western Wahkiakum County Telephone Company d/b/a Wahkiakum West, Whidbey Telephone Company, and YCOM Networks, Inc. d/b/a FairPoint Communications.

In their discussions of various communication alternatives, many people forget that in rural America it is the rural network provided by the local rural incumbent local exchange carrier that provides the means for communication. People forget that wireless traffic does not normally travel through the air from one wireless phone to another. In particular in rural areas, landline transport is required for the wireless traffic communication to take place. It is the rural ILEC that provides that network in rural parts of the nation.

People forget that broadband communication does not go up to a cloud and is completed in that cloud known as the Internet. Rather, in rural areas the IP-based communication must travel over the rural network in order for those communications to occur. The access to the outside world through an IP-based technology, whether it be e-mail, surfing the web or access to content providers, depends upon the rural network.

The rural network is very important no matter what technology travels that network. The focus should be on how to enhance and preserve that vital lifeline of communications independent of any specific technology. However, if the focus is narrowed to consider just the transition to an IP-based communication world, there are several key considerations in looking at how that rural network should be built and maintained for IP-based broadband traffic. OTA and WITA suggest that the Commission look at the following issues if it moves forward with an NOI on this subject:

1. What is the best way to construct and maintain the rural network? Should existing universal service mechanisms continue or should they be reformed in some way to focus more directly on broadband communications?

2. Given the lack of economies of scope and scale, how can the network be built and maintained by any provider serving rural markets? Should there be grants for construction? Should there be funding of ongoing maintenance and operation of the network in rural areas?
3. Should content providers or others that rely upon the existence of the network to further their business model and deliver products to rural customers provide compensation for use of the network? What form of compensation? A connection fee? A fee based on the amount of traffic generated? Rural customers desire and need access to content providers. That is essential for rural economic development. Although content providers focus more on the urban areas, they want to market their products to rural customers as well. As content demand grows, more bandwidth must be added to the network. How are these costs recovered? Should those who benefit economically contribute to the cost of the network?
4. What does intercarrier compensation look like in a broadband environment? Should there be a terminating access fee of some kind? A per port charge?
5. Does local number portability disappear in a broadband communications world? Does resale of service disappear in a broadband communications world? Is competition solely facility-based?
6. The connection between the rural network and the outside world often depends upon a middle mile provider. There may be only one middle mile provider in a particular rural area. Should the pricing for middle mile transport be regulated in some way? Should middle mile transport be supported to ensure that bandwidth capacity can be delivered to rural customers over the rural networks?

7. Is there continued carrier of last resort (COLR) obligation in a broadband environment?

If so, what is that role? Should there be a relationship between support for the network and COLR obligations?

Thank you for your consideration of these Comments.

Respectfully submitted this 21st day of December, 2009.

By: \_\_\_\_\_



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