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

In the Matter of	)	
	)	PS Docket No. 10-93
Cyber Security Certification Program	)	FCC 10-63

REPLY COMMENTS

The National Telecommunications Cooperative Association (NTCA)[1] responds to initial comments filed July 12, 2010 on the Notice of Inquiry (NOI) released by the Federal Communications Commission (Commission or FCC) seeking comment on its proposed cyber security certification program.[2] The NOI seeks comment on whether to establish a voluntary cyber security certification program using private sector auditors and FCC marketing certifications. Once communications providers pass an auditor's evaluation, those providers "may then market their networks as complying with stringent FCC network security requirements."[3] The program represents an attempt to stimulate market incentives for cyber security as recommended in the National Broadband Plan.[4] Other stated aims are to promote a culture of more vigilant cyber security among participants in the market for communications services, and to offer consumers more complete information about cyber security practices.[5]

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[1] NTCA is a premier industry association representing rural telecommunications providers. Established in 1954 by eight rural telephone companies, today NTCA represents 585 rural rate-of-return regulated telecommunications providers. All of NTCA's members are full service rural local exchange carriers (LECs) and many of its members provide wireless, cable, Internet, satellite and long distance services to their communities. Each member is a "rural telephone company" as defined in the Communications Act of 1934, as amended (Act). NTCA's members are dedicated to providing competitive modern telecommunications services and ensuring the economic future of their rural communities.
[2] *In the Matter of Cyber Security Certification Program*, PS Docket No. 10-93, Notice of Inquiry (rel. April 21, 2010) (NOI). NTCA's silence on any positions raised by parties in these proceedings connotes neither NTCA's agreement nor disagreement with their positions or proposals.
[3] *Id*. at ¶ 12.
[4] *Id.* at ¶ 9.
[5] *Id.* at ¶ 1.

Although the Commission's proposal is well-intended, it does not need to formalize a cyber security certification program as proposed at this time. The Commission's suggested cyber security certification program highlights important security concerns that all communications providers, including NTCA's rural member companies, should acknowledge and address. Equipment upgrades, software updates, intrusion prevention and detection, and intrusion analysis and response are becoming all the more important as networks and the applications that run atop them evolve. The suggestions contained in the program, however, are unnecessary and will impose additional regulatory burdens for all carriers – and particularly for small rural communications providers. The regulatory certification process, controlled by private auditors, will require an unnecessary intrusion into and examination of rural networks whose providers already have a hefty incentive to protect their customers from cyber threats. Furthermore, enforceability of the certification may be impractical.

As the comments in this proceeding demonstrate, providers already have adequate market incentives to guard their customers from cyber attacks, and rural providers already offer significant protections to their customers. For example, some NTCA members offer through their websites computer protection packages that include anti-virus and anti-spyware protection, pop-up blockers, firewall protections, and parental controls. Others offer security set-ups, business maintenance plans, computer diagnostics, and spam filtering. Round-the-clock technical support is frequently provided by NTCA member companies for their Internet customers. Ad blockers, junk email filtering, and links to Internet safety and cyber crime reporting agencies are also offered by NTCA members to their rural customers.

NTCA therefore joins the majority of industry commenters in suggesting that the Commission should not devote its limited resources to creating a cyber security certification

system. NTCA agrees with AT&T and others that a cyber security certification program will be difficult to manage and that market forces already create strong cyber security incentives for providers to protect customers.[6] The Alliance for Telecommunications Industry Solutions concurs with NTCA, saying a federally backed cyber security certification program is unnecessary because service providers already have incentives to protect their networks.[7]

Instead, the Commission should let market responses address consumers' and businesses' needs for cyber protection. The FCC's goals for cyber protections are laudable but a formalized cyber certification program is not necessary. NTCA's member companies acknowledge that cyber threats can arise anywhere, urban or rural. NTCA agrees with Telcordia that cyber threats from spam to denial of service attacks, viruses, and botnets can infect and threaten any network environment.[8] Small rural telcos, responding to such issues and the demands and concerns of their local customers, provide secure networks in many different ways and keep their customers informed. No one certification standard or process will suit all needs all the time, a concept echoed by the Telecommunications Industry Association.[9] To the contrary, rather than create a redundant and potentially conflicting layer of standards and processes, the Commission would be better served by monitoring efforts to promote industry-led development of standards and public-private partnerships such as those underway through the Communications Security, Reliability, and Interoperability Council, the National Communications System, the United States Computer Emergency Readiness Team, and the Department of Homeland Security.[10]

Using private auditors to determine if rural telco networks comply with national security

[6] AT&T Comment, p. 8; CTIA – The Wireless Association Comment, p. 4; Sprint Nextel Comment, p. 3; Telecommunications Industry Alliance Comment, p. 3; US Telecom Comment, p. 6; Verizon and Verizon Wireless Comment, p. 2.
[7] Alliance for Telecommunications Industry Solutions Comment, p. 3.
[8] Telcordia Comment, p. 3.
[9] Telecommunications Industry Association Comment, p. 2.
[10] CTIA Comment, p. 2; TIA Comment, p. 4.

standards will not achieve the FCC's goals. This will create unnecessary duplication and costs for small rural telcos. A better option is to let providers proceed with and implement individualized and tailored protection techniques, coordinated with sound industry practices and guidance from industry technical bodies devoted to such evolving subject matter. NTCA, aware of this need, also plays a role by informing and educating its members on cyber security threats and the development of protection measures.

For these reasons, the Commission should not implement the proposed Cyber Security Certification Program.

Respectfully submitted,

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September 8, 2010

CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Reply Comments of the National Telecommunications Cooperative Association in PS Docket No. 10-93, FCC 10-63, was served on this 8th day of September 2010 via electronic mail to the following persons:

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