



July 12, 2012

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

Re: Connect America Fund, WC Docket No. 10-90; A National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; High-Cost Universal Service Support, WC Docket No. 05-337; Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Federal-State Joint Board on Universal Service, CC Docket No. 96-45; Lifeline and Link-Up, WC Docket No. 03-109; Universal Service Reform – Mobility Fund WT Docket No. 10-208.

Dear Ms. Dortch:

The Telecommunications Industry Association (“TIA”) – the leading trade association for the ICT industry, representing companies that are the high-tech manufactures and suppliers of the products and services used in global communications across all technology platforms – writes to express reservations regarding constraints in the rules for price cap carriers. These restrictions may have the unintended consequence of indefinitely delaying broadband capital expenditures in currently unserved and underserved areas.

TIA files these comments in support of the petition for waiver filed by CenturyLink.¹ The limited waiver of section 54.312(b) of the Commission’s rules would allow CenturyLink to use Connect America Fund Phase I incremental support to serve certain specified areas that are

¹ *Public Notice*, “Wireline Competition Bureau Seeks Comment on Centurylink Petition For Limited Waiver of Certain High-Cost Universal Service Rules,” DA 12-1007, released June 27, 2012.

nominally “served,” but consumers in those areas do not actually have access to broadband service as envisioned by the Commission. TIA believes that the narrow relief requested by CenturyLink will allow prompt deployment of broadband service to a significant number of unserved locations.

TIA continues to applaud the Commission’s approach on USF/ICC reform. TIA again expresses its very strong support for a transition to broadband. As we have in the past, we note the importance that flexibility and technology neutrality principles have in the adopted rules, for the continuing success of the transition.² The success of this initiative will be a lasting legacy of the current Commission.

As detailed in the CenturyLink petition, the requested relief is very limited. Under the Commission’s Rules, CAF Phase I support can only be used to subsidize broadband to unserved households. CenturyLink seeks to use the CAF Phase I support to extend broadband to homes that are ostensibly “served” by Wireless Internet Service Providers (“WISPs”), but where:

- (i) the WISP only serves business customers; or
- (ii) the National Broadband Map indicates the area is served, but service is unlikely due to topography and power constraints (and the State PUC has not verified service availability); or
- (iii) the available service is at a price/quality that is even worse than satellite broadband, which the Commission has already deemed inadequate to be considered “served.”³ As CenturyLink demonstrates, granting a waiver in these limited circumstances will extend real broadband service to some 30,000 households.⁴

TIA has previously advocated that the Commission should be mindful that variations in terrain, existing infrastructure, and technical conditions could render some providers unable to meet rigid standards.⁵ All service obligations and coverage requirements should therefore incorporate significant flexibility to ensure that no portion of the country remains unfunded, and

² Comments by TIA, WC Docket No. 10-90 et al. (filed August 24, 2011) at 4, 10.

³ Connect America Fund Order at ¶ 104.

⁴ CenturyLink Petition at p. 6.

⁵ Comments by TIA, WT Docket No. 10-208 (Filed December 16, 2010) at 9-10.

therefore unserved.⁶ By creating incentives for commercial service providers to operate in unserved areas, disadvantaged populations will experience numerous benefits.

TIA looks forward to working with the Commission on broadband deployment, spectrum policy, investment and innovation, and other matters of critical importance to the ICT sector going forward. Please do not hesitate to contact me with any questions. TIA believes that CenturyLink's request is entirely consistent with the flexibility and technology neutrality principles have in the rules adopted.

Sincerely,

A handwritten signature in black ink that reads "Grant E. Seiffert". The signature is written in a cursive, slightly slanted style.

Grant E. Seiffert

President

⁶ Comments by TIA, WC Docket No. 10-90 et al. (Filed August 24, 2011) at 11.