



900 17th STREET, NW, SUITE 400 PH: 202.296.6650
WASHINGTON, DC 20006 FX: 202.296.7585

September 7, 2012

EX PARTE NOTICE

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

GN Docket Nos. 09-47, 09-51, 09-137, and RM-11358

Dear Ms. Dortch:

On September 5, 2012, the undersigned from COMPTTEL, Joe Gillan of Gillan Associates and Dave Malfara of ETC Group, LLC, both on behalf of COMPTTEL, had a meeting with Lisa Gelb, Bill Dever, Tim Stelzig, Travis Litman, Jenny Prime, Claude Aiken, Ariane Rangel, Pamela Megna, Wesley Platt (by phone) and Heather Hendrickson (by phone), of the Commission's Wireline Competition Bureau, and Henning Schulzrinne of the Office of Strategic Policy and Planning Analysis with regard to the above-referenced proceedings.

Since the Commission adopted its policies concerning the retirement of copper facilities, Congress enacted the American Reinvestment and Recovery Act which tasked the Commission with developing a "detailed strategy for...maximum utilization of the broadband infrastructure..."¹ The focus of our meeting was the technological advancements that make copper the most ubiquitous existing broadband infrastructure. The attached presentation was the basis for our discussion.² In addition, we provided the Commission with an AdTran presentation (attached), drawing attention to pages 13-26 addressing similar issues.³

¹ American Recovery and Reinvestment Act, Pub.L.No. 111-5, Section 6001(k)(2)(A) and (B).

² On page 3 of the presentation, the last sentence should read "speeds up to 800Mbps *and* distances up to 65,000 ft. are achievable." The statement (page 4) that "most US households are served by three copper pairs" refers to the number of twisted pair in a typical drop wire serving a customer. See, "Extending The Speed And Reach Of Copper NGA," Analysys Mason, May 19, 2011 ("We believe that the majority of residential premises in the UK do have multiple pairs and many actually have four. In the USA, three is common."), available at: http://www.analysismason.com/About-Us/News/Insight/Insight_extending_copper_May2011/). In order to transform such copper pairs to broadband facilities, equipment must be located at both customer premise and at a point of aggregation (such as a central office or remote terminal) serving sufficient loop concentrations to make deployment viable. Because there is no easily verifiable database to estimate the location and number of such

COMPTEL urged the Commission to open a rulemaking proceeding to revisit its copper retirement policies, noting a proposal COMPTEL submitted in 2009 to preserve this remarkably resilient and useful legacy network in furtherance of the Commission’s goal of encouraging competition, promoting advance services, finding the most effective and efficient means of ensuring affordable broadband services, in addition to maximizing the utilization of broadband infrastructure, so that all consumers are able to enjoy the benefits of competition and broadband services.

Please do not hesitate to contact me if you have any questions regarding this submission.

Respectfully submitted,

/s/ Karen Reidy

cc (via email): Lisa Gelb
Bill Dever
Tim Stelzig
Travis Litman
Jenny Prime
Claude Aiken
Ariane Rangel
Pamela Megna
Wesley Platt
Heather Hendrickson

aggregation nodes (which would vary in economic attractiveness based on new and emerging technologies and assumptions), COMPTEL uses a single pair-count in its calculation, noting that this may be a conservative estimate. Moreover, CLECs generally serve business customers at locations with multiple lines available. *See*, Stephen B. Pociask, TeleNomic Research, LLC, “A Survey of Small Businesses’ Telecommunications Use and Spending,” SBA Office of Advocacy, p.56, March 2004 (“[S]mall businesses that use a CLEC ...use on average 4.7 lines per business.”)

³ Downloaded on August 28, 2012 from <http://www.ustelecom.org/events-education/webinars/whats-next-ultra-broadband-reinventing-access>