

24 September, 2012

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th St SW
Washington, DC 20554

Re: GN Docket No. 09-191: In the Matter of Preserving the Open Internet
WC Docket 05-25: Special Access Rates for Price Cap Local Exchange Carriers
WC Docket No. 07-52: Broadband Industry Practices
GN Docket No. 09-137: Advanced Telecommunications Deployment
WC Docket No. 10-90: Connect America Fund
WC Docket No. 05-337: High-Cost Universal Service Support
CC Docket No. 96-45: Federal-State Joint Board on Universal Service
WC Docket No. 03-109: Lifeline and Link-Up

Ms. Dortch:

This letter is to advise you that I met on Monday, 24 September 2012 with Michael Steffen of Chairman Genachowski's office. Our conversation touched on topics covered by the above-captioned dockets. I expressed concern that the Commission had neither allowed my wireless Internet service provider, which is not a telephone company, to receive CAF funds (even though WISPs are, in fact, the most effective way to reach unserved and underserved areas) nor recognized us as unsubsidized competitors (the subject of a petition, filed by WISPA, on which the Commission has not acted) and urged the Chairman's office to pursue both.

I noted that in Wyoming, the Public Service Commission had been stripped of virtually all authority over telephone service and was no longer designating carriers as Eligible Telecommunications Carriers. I further noted that, because voice is rapidly becoming an "app" for broadband, the Commission should recognize broadband service plus VoIP to be "substitutable" for POTS and declare any broadband service capable of supporting over-the-top, interconnected VoIP to be eligible for CAF funding. I expressed concern regarding the petition, filed by CenturyLink, for funding to overbuild WISPs' existing coverage areas, noting that granting this petition would waste taxpayer dollars and harm competition.

I asserted that the amount of money allocated to the Remote Areas Fund was too small, and that the small share of the funds which had been devoted to it was inconsistent with the Commission's publicly stated priorities. I further asserted that the funds would be best allocated via vouchers, whose values would increase over time were they not immediately accepted by carriers, rather than via a Commission-conducted reverse auction or "beauty contest." I noted that vouchers would allow consumers to make qualitative as well as quantitative choices and would therefore provide results which better suited their needs.

I noted that WISPs had been treated inequitably in the Commission's "Open Internet" rules – being subjected to the more stringent regulations applied to wireline providers

rather than the more flexible ones applied to mobile carriers – even though, in fact, WISPs face greater challenges due to their use of unlicensed and nonexclusively licensed spectrum. I further noted that potential investors in my company were taking a “wait and see” attitude, conditioning investment upon at least partial nullification of the Commission’s Order by the DC Circuit.

I asked that the Commission move promptly to deal with the issue of Special Access, in particular to prevent exploitation of Special Access monopolies for anticompetitive purposes. I noted that, in rural areas, this practice has hurt broadband adoption, availability, and affordability, and that incumbents such as CenturyLink were charging up to 100 times as much (per unit bandwidth) for wholesale middle mile transport as for complete Internet service at retail.

This letter is being filed electronically via the Commission's Electronic Comment Filing System as per Section 1.1206(b)(2) of the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurence Brett Glass". The signature is written in a cursive, flowing style.

Laurence Brett ("Brett") Glass, d/b/a LARIAT
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