

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Technological Transition of the) GN Docket No. 12-353
Nations Communications)
Infrastructure)
)

**COMMENTS OF LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, UNITED STATES HISPANIC
CHAMBER OF COMMERCE, AND LABOR COUNCIL
FOR LATIN AMERICAN ADVANCEMENT**

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January 28, 2013

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**Comments of
League of United American Citizens, United States Hispanic Chamber of Commerce, United States
Hispanic Leadership Institute, and Labor Council for Latin American Advancement**

The undersigned organizations¹ (collectively, “we” or “our”) believe that the continued deployment of advanced high-speed broadband networks to every American is critical for continued economic growth and the creation of opportunity for citizens across the United States. To maximize the consumer benefits of broadband, we also believe it is imperative to accelerate the transition away from antiquated networks providing “voice”-only services and move toward the widespread availability of next-generation Internet Protocol (IP) networks that can offer voice, video, high-speed Internet and other data services. We encourage policymakers to create and implement a regulatory framework necessary to drive investment in and deployment of 21st century networks.

I. AT&T’s Petition will Help Spur the Nation’s Transition to IP-based Networks and Provide Hispanic Americans with More Consumer Choice

Advanced high-speed IP-based networks support a multitude of modern communications services and devices, including broadband, wireless smartphones and tablets, and voice over IP phone service-- the core software application driving personal connectivity in the digital IP age. Our comments in support of

¹ League of United Latin American Citizens <http://lulac.org/>; United States Hispanic Chamber of Commerce <https://www.usbcc.com/index.cfm>; United States Hispanic Leadership Institute <http://www.uskli.org/>; Labor Council for Latin American Advancement <http://www.lclaa.org>. This Comment filing reflects the institutional views of each of the undersigned organizations and does not reflect the individual views of the organizations’ individual officers, directors, members or staff.

AT&T's petition ("AT&T petition" or "Petition")² highlight how essential these services are for Hispanic Americans, our communities, and our organizations. Americans of Hispanic descent have led the way in embracing broadband services and depend on them for meeting an increasing range of personal communications services.

Upgrading outdated legacy phone networks with IP-capable networks will expand consumer choice for high-speed broadband service throughout America. Historically, the availability of more service and pricing options has meant greater choice for consumers. These expanded options in the marketplace will hopefully boost adoption among Hispanic Americans and others who may not have wired broadband because of concerns about cost.

For these reasons, we are pleased to support AT&T's request that the Federal Communications Commission ("FCC" or "Commission") start a national dialogue about initiating a process, including geographically limited local market tests, to facilitate the transition to fully IP-based networks. As with any change of this magnitude, the transition will require careful planning to assure minimal consumer disruption. We believe the framework put forth by AT&T meets the critical tests of fairness and transparency. It will be open to all stakeholders, account for consumer and business concerns, and promote disclosure by requiring companies who propose limited local market tests to explicitly spell out timelines for each proposed step.

II. Government Can Play a Key Role in Utilizing the IP-Transition as a Means to Achieve our National Broadband Goals

The Commission has played an important role in the past to help facilitate the transition away from antiquated networks for other communications technologies. For example, the FCC has played a pivotal role in transitioning analog broadcast television and wireless services to the digital services we now rely upon. We are confident that the FCC can similarly assist in the effort to move the old-fashioned telephone network to the IP-based networks of the future.

² Petition of AT&T, *Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket No. 12-353, (filed Nov. 7, 2012) ("AT&T Petition" or "Petition").

Completing the move to IP-based networks will help achieve President Obama’s goal of delivering high-speed broadband to 98 percent of Americans by 2016³ and also meet the National Broadband Plan’s pledge to “create a high-performance America—a more productive, creative, efficient America in which affordable broadband is available everywhere and everyone has the means and skills to use valuable broadband applications.”⁴

It explicitly recognized the need for a transition from legacy networks, observing that “the country should start considering the necessary elements of this transition [to IP networks] in parallel with efforts to accelerate broadband deployment and adoption.”⁵ Presciently, the plan warned that compelling network operators to maintain the old voice networks would mean “siphoning investments away from new networks and services.”⁶

After identifying this challenge, we are pleased that the Commission has launched an internal Technology Transitions Policy Task Force to explore this issue. Moreover, FCC Chair Julius Genachowski, Commissioner Ajit Pai and other Commissioners have renewed the call for policies to facilitate the move to an all IP infrastructure. In announcing the formation of a new transition task force, Chairman Genachowski said the goal was “to drive a virtuous cycle of innovation and investment, promote competition, and protect consumers.”⁷ Similarly, Commissioner Pai has called for “sound proposals for hastening the IP transition and incentivizing investment in next-generation networks.”⁸

³ Press Release, President Obama Details Plan to Win the Future through Expanded Wireless Access, The White House, Office of the Press Secretary (Feb. 10, 2011) at <http://www.whitehouse.gov/the-press-office/2011/02/10/president-obama-details-plan-win-future-through-expanded-wireless-access>.

⁴ Federal Communications Commission, *Connecting America: The National Broadband Plan*, at 9 (Mar. 16, 2010) (“*National Broadband Plan*”), available at <http://www.broadband.gov/>.

⁵ *Id.* at 59.

⁶ *Id.*

⁷ Press Release, FCC Chairman Julius Genachowski Announces Formation of ‘Technology Transitions Policy Task Force’, Federal Communications Commission (Dec. 10, 2012) at http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db1210/DOC-317837A1.pdf.

⁸ Statement, Statement of Commissioner Ajit Pai on the Formation of a Technology Transitions Policy Task Force, Federal Communications Commission, (Dec. 10, 2012), at <http://www.fcc.gov/document/pai-statement-formation-technology-transitions-policy-task-force>.

III. Hispanic Americans Stand to Benefit from the Availability of New IP-Enabled Services and Applications that Can Result from IP-Based Networks

Hispanic Americans are increasingly turning to broadband technology for a range of life-enhancing purposes including economic opportunity, better health care, greater educational achievement, and the acquisition of technical skills to enhance job prospects. Large numbers of Hispanics also use broadband connections to maintain contact with family members living in other countries and to participate actively within a highly-mobile, but closely-knit, Latino community in the United States. The transition to all-IP infrastructure will promote investment in and robust deployment of competitive next generation wired and wireless IP-based networks to expand their reach throughout the nation, including Hispanic communities nationwide. Enhancing network capabilities with a swift and smooth transition to all-IP infrastructure will enable Hispanic Americans to multiply these benefits and further improve their ability to build a strong future for themselves and their families.

A. Economic Opportunities

The economic benefits of expanded broadband capabilities are well known, and moving the United States fully to IP networks will benefit every American by generating investment, jobs, and innovation. One recent study found that a ten percent increase in broadband penetration adds 0.25 percent to GDP growth in OECD countries.⁹ A study by economists Robert Shapiro and Kevin Hassett said that the recent transition from 2G wireless technology to 3G services created about 1.6 million jobs in the United States.¹⁰ The connection between broadband and growth holds particular promise for Hispanic

⁹ Originally appearing in P. Koutroumpis, *The Economic Impact of Broadband on Growth: A Simultaneous Approach*, Telecommunications Policy, at 471-485 (2009), as cited in International Telecommunications Union, *Impact of Broadband On the Economy* (April 2012) http://www.itu.int/ITU-D/treg/broadband/ITU-BB-Reports_Impact-of-Broadband-on-the-Economy.pdf (Accessed January 16, 2013).

¹⁰ Robert J. Shapiro and Kevin A. Hassett, NDN, *The Employment Effects of Advances in Internet and Wireless Technology: Evaluating the Transitions from 2G to 3G and from 3G to 4G* (January 2012) available at http://ndn.org/sites/default/files/blog_files/The%20Employment%20Effects%20of%20Advances%20In%20Internet%20and%20Wireless%20Technology_1.pdf (Accessed January 17, 2013).

Americans, whose 9.6 percent unemployment rate¹¹ is substantially higher than the 7.8 percent national rate.¹²

In addition, better broadband capabilities should enable our community to take greater advantage of their leadership in entrepreneurial activity by providing enhanced tools to help efficiently manage our business enterprises, promote our services, and reach out to new customers and markets. Hispanics Americans start businesses at three times the national rate, more than any other group,¹³ and high-speed broadband networks are crucial to success in today's competitive business environment.

A speedier transition to all IP-enabled networks will spur more affordable home high speed broadband and boost adoption rates for Latinos and other citizens who have not subscribed to home broadband service for economic reasons. Narrowing the "affordability gap" in this way would multiply the economic benefits of broadband by bringing more people online and also move our country closer to reaching the President's broadband goals. It also would help close other divides.

B. Education and Healthcare Opportunities

Latinos lag in access to health care and in educational achievement; however, the nationwide availability of high-speed IP-enabled broadband services can help narrow these gaps. Hispanic Americans are less likely to seek and receive health-care services than the general population¹⁴ and are also more likely to suffer from certain chronic diseases. For example, Hispanics are 1.7 times more likely than non-Hispanic whites to suffer from diabetes.¹⁵

¹¹ US Department of Labor, Bureau of Labor Statistics, *Employment Status of the Hispanic or Latino Population by Sex and Age*, Table A-3, Economic News Release (Last Modified Jan. 4, 2013) available at <http://www.bls.gov/news.release/empsit.t03.htm> (Accessed January 18, 2013).

¹² US Department of Labor, Bureau of Labor Statistics, *Labor Force Statistics from the Current Population Survey*, (Data Extracted January 18, 2013), <http://data.bls.gov/timeseries/LNS14000000> (Accessed January 17, 2013).

¹³ US Census Bureau, *Survey of Business Owners: Hispanic-Owned Firms: 2002*, (August 2006), as cited in Hispanic Institute & Mobile Future, *Hispanic Broadband Access: Making the Most of the Mobile, Connected Future*, at 16 (Sept. 15, 2009), available at <http://www.mobilefuture.org/page/-/HispanicsandBroadbandAccess.pdf?hispanicsandbroadband> (Accessed January 18, 2013).

¹⁴ Centers for Disease Control, *Access to Health-Care and Preventive Services Among Hispanics and Non-Hispanics --- United States, 2001—2002*, Mortality and Morbidity Weekly Report (Rel. Oct. 15, 2004) available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5340a2.htm> (Accessed January 18, 2013).

¹⁵ U.S. Department of Health and Human Services, Office of Minority Health, *Diabetes Data/Statistics*, (Last Modified Aug. 28, 2012), available at <http://minorityhealth.hhs.gov/templates/browse.aspx?lvl=3&lvlid=62> (Accessed January 18, 2013).

Telehealth services transmitted via high-speed broadband can help address these imbalances by enabling Latinos and other citizens to connect with health care information and medical providers while on the go. Remote monitoring, for example, can enable diabetics to keep track of vital measurements such as blood glucose, lipids, and blood pressure with mobile devices while going about their daily routine. This relatively simple use of technology cuts down on missed work time. It can also improve health outcomes and reducing emergency room visits by enabling the early identification of potential medical problems.

Writing in May 2012, Dr. Elena Rios, President & CEO of the National Hispanic Medical Association, observed that telemedicine could mean a substantial reduction in patient health-related expenditures. She cites a study by the Center for Information Technology Leadership showing that after a five year investment, telemedicine applications could generate \$4.28 billion in savings nationwide.¹⁶ “Broadband-enabled solutions will play an important role in improving healthcare for the aging and Hispanics, lowering health care costs, and expanding the number of healthcare professionals available to the infirm or those living in remote areas,” she said.¹⁷

The power of broadband to improve health care is so stunning that when asked by President Obama what was most exciting about broadband, Chairman Genachowski replied: “telemedicine.”¹⁸

Education through broadband-enabled distance learning that connects students with teachers and courses not available where they live also will benefit from a transition to IP networks and can help Hispanic students advance. According to data, just 63 percent of Hispanic adults in the United States have graduated from high school, compared to 87.6 percent of white Americans.¹⁹ The disparity is even

¹⁶ Elena Rios, “Telemedicine Critical for Latino Health”, Foxnews Latino (May 17, 2012), available at <http://latino.foxnews.com/latino/health/2012/05/17/dr-elena-rios-telemedicine-joint/#ixzz1v9BNp6M5>.

¹⁷ *Id.*

¹⁸ Axie Navas, “FCC Chairman talks telemedicine during South Shore visit,” Tahoe Daily Tribune, (Aug. 1, 2012) available at <http://www.tahodailytribune.com/article/20120801/ARCHIVES01/120809993> (Accessed January 16, 2013).

¹⁹ U.S. Census Bureau, *Educational Attainment by Race and Hispanic Origin:1970 to 2010*, Table 229, (Rel. 2012), available at <http://www.census.gov/compendia/statab/2012/tables/12s0229.pdf> (Accessed January 16, 2013).

greater for obtainment of college degrees. While 30.3 percent of white Americans hold a bachelor's degree, just 14 percent of Latinos have completed a four-year college program.²⁰

But a growing number of school districts across America are now integrating distance learning into their classrooms to deliver advanced classwork that is not available in students' own schools. This enables dropouts to complete their education without sitting in a physical classroom with younger students. In an emerging trend that could change the nature of higher education, many colleges and universities are beginning to offer individual classes and/or degrees through distance learning. In addition to offerings by individual academic institutions, consortiums such as Coursera and Udacity enable students of all ages to take courses at dozens of universities around the world.²¹ The only limits are the availability and capability of broadband services and the student's ambition.

IV. We Need A Partnership – Beginning Now – To Meet Broadband Challenges

While we urge the FCC to help move America toward all-IP networks, the actual investment, construction and operation of these networks depends on private sector participation. The Commission has estimated that deploying advanced networks so that every American can enjoy high-speed connectivity would cost some \$24 billion.²² Government alone cannot foot the bill. As it has to date, investment for these networks must come largely from the private sector. But government can play a powerful supporting role by implementing policies that encourage the necessary investment to complete all-IP infrastructure, meet consumer needs and deliver the economic, educational, health and other benefits discussed above.

AT&T's proposal for a national conversation on the transition to IP, including localized trials to help identify and solve key technical and policy challenges, is a good place to start. As structured, the proposal includes a number of appealing elements, including the opportunity for an open and transparent

²⁰ *Id.*

²¹ Tamar Lewin, "Education Site Expands Slate of Universities and Courses", NY Times, (Sept. 19, 2012), available at <http://www.nytimes.com/2012/09/19/education/coursera-adds-more-ivy-league-partner-universities.html> (Accessed January 17, 2013).

²² *National Broadband Plan* at 136.

dialogue that will enable a full range of stakeholders, including consumer groups, state regulators, network operators, and technical experts to participate. By embarking on the IP-transition through the limited local market tests under one proceeding, the AT&T proposal would enable the Commission to address relevant issues in a holistic fashion to ensure a consistent approach to key issues as opposed to piecemeal reviews that are set apart from one another in multiple individual proceedings. Under the petition, the FCC would appropriately place the burden on carriers to present detailed plans regarding the steps they would take and require them to outline the timelines and specific impact that the transition would have on consumers and business in every wire center where the limited local market tests take place.

V. The Commission Should Approve AT&T's Petition to Bring the Benefits of IP Networks to the Hispanic Community and the Nation as a Whole

Consumers are already moving forward to an all-IP world, abandoning landline phones for wireless and shifting from voice service on the old legacy phone system to Voice over IP services that ride “over the top” as an IP-enabled application provided on a broadband network. Around the world, other countries – our competitors – also are moving forward with IP infrastructure deployment. America must keep pace. America must lead by moving toward all-IP networks as rapidly as possible.

Hispanic Americans have been in the forefront of technological change, embracing mobile broadband as fast or faster than any other group. The transition to all-IP networks should improve affordability by creating more service and pricing options, and, therefore, boost adoption among consumers, including many Latinos, who are constrained by tight budgets.

More fundamentally, we believe the future of every American will be richer and opportunities will be unleashed for all if our country successfully completes this technological transition as rapidly and fairly as possible. AT&T has offered a smart approach for a public-private dialogue to identify the policies needed to complete the journey to an all-IP based network and to weed out unnecessary and antiquated rules that may get in the way. We respectfully urge the Commission to approve the company's petition so that America can achieve our broadband goals and continue to lead the world.

Respectfully submitted,

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