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

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| In the Matter of | ) | |
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| Technological Transition of the Nation's Communications Infrastructure | ) | WC Docket No. 12-353 |
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| Petitions for Rulemaking and Clarification Regarding the Commission's Rules Applicable to Retirement of Copper Loops | ) | RM-11358 |
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| **To: The Commission** | ) | |

**REPLY COMMENTS OF THE**
**ALARM INDUSTRY COMMUNICATIONS COMMITTEE**

The Alarm Industry Communications Committee ("AICC"), on behalf of its members[1] and pursuant to the Commission's *Public Notice*,[2] hereby files these reply comments on the request to refresh the record and make certain changes to the FCC's copper retirement rules filed by Mpower Communications Corp.; US TelePacific Corp.; ACN Communications Services, Inc.; Level 3 Communications, LLC; TDS Metrocom, LLC; and Telecommunications for the Deaf and Hard of Hearing, Inc. Specifically, AICC supports the request to refresh the record on copper retirement and for the Commission act to preserve what is obviously useful existing

[1] Central Station Alarm Association (CSAA), Electronic Security Association (ESA), Security Industry Association (SIA), Bosch Security Systems, Digital Monitoring Products, Digital Security Control, Telular Corp, Honeywell Security, Vector Security, Inc., ADT Security Services, Inc., AES- IntelliNet, Alarm.com, Bay Alarm, Intertek Testing, Security Network of America, United Central Control, AFA Protective Systems, Vivint (formerly APX Alarm), COPS Monitoring, DGA Security, Security Networks, Universal Atlantic Systems, Axis Communications, Interlogix, LogicMark, Napco Security, Alarm Detection, ASG Security, Security Networks, Select Security, Inovonics, Linear Corp., Numerex, Tyco Integrated Security, FM Approvals, the Underwriters Laboratories, CRN Wireless, LLC and Axesstel.

[2] *Wireline Competition Bureau Seeks Comment on Request to Refresh Record and Amend the Commission's Copper Retirement Rules,* Public Notice, DA 13-147, WC Docket No. 12-353, RM 11-11358, released February 4, 2013.

infrastructure, and opposes the arguments of AT&T and Verizon. Furthermore, to the extent that copper retirement does occur, AICC urges to Commission to ensure that vital public safety services are not interrupted as a result. These points are discussed in turn below.

The record so far clearly demonstrates that existing copper infrastructure is useful for broadband deployment. In their initial filing, Mpower *et al.* highlight a number of efficient uses for existing copper infrastructure, such as Ethernet over Copper technology.[3] Initial comments only added to the list. For example, Adtran filed comments not only highlighting the rapid improvement of DSL technology, but its own "ActivReach" service which can reportedly reach speeds of 100 Mbps for Ethernet services over legacy voice wiring.[4] CALTEL filed comments demonstrating extensive reliance upon copper infrastructure by competitive local exchange carriers in California. Despite AT&T's assertion that the "operational challenges and complexities of the transition to all-IP networks are indisputable,"[5] CALTEL also pointed out that the type of outside plant facility used to connect service provider switches to end user premises has little impact on the protocols used to route and exchange the traffic.[6] Given the fact that the Commission has, time and again, recognized and cited to the limited resources available to assist in the deployment of broadband services across the nation,[7] AICC respectfully submits that there should be no rush to accelerate the retirement of useful existing infrastructure.

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[3] *Request to Refresh the Record and Take Expedited Action to Update Copper Retirement Rules to Promote Affordable Broadband Over Copper*, WC Dockets No. 10-88, 12-353; GN Dockets No. 09-51, 13-5; RM-11358, filed January 25, 2013 at p. 3. ("*Request*").
[4] *Comments of ADTRAN, Inc.*, WC Docket No 12-353, RM-11-358, filed March 5, 2013 at pp. 3-5.
[5] *Comments of AT&T*, WC Docket No 12-353, RM-11-358, filed March 5, 2013 at p. 1.
[6] *Comments of CALTEL*, WC Docket No 12-353, RM-11-358, filed March 5, 2013 at p. 3.
[7] *See, e.g., In the Matter of Connect America Fund, et al., WC Docket No. 10-90 et al.,* FCC 11-161, released November 18, 2011 at ¶18.

Indeed, as AICC has demonstrated in other proceedings, the majority of alarm customers still rely on plain old telephone service (POTS), and the underlying copper infrastructure, as their underlying communications service.[8] In the TDM-to-IP proceeding, AICC's concern was that alarm monitoring service would no longer operate for customers who rely on POTS as the communications service over which their alarm services ride when their POTS was disconnected as part of AT&T's proposed trials.[9] Similarly here, where large carriers like AT&T and Verizon seek to retire functioning copper plant, the Commission must be wary of the possibility that alarm services will be interrupted or left entirely unsupported for a customers that still depend on copper. Therefore, AICC supports Mpower, *et al.*'s goal of ensuring that copper is not retired where at least one customer depends upon it for service.[10]

Moreover, existing copper infrastructure is a valuable resource even where alternatives are already deployed. USTelecom and Verizon suggest that the deployment of fiber makes copper infrastructure duplicative and redundant.[11] On the contrary, in AICC's experience, fiber infrastructure often fails to meet the reliability and survivability of the copper infrastructure upon which the public switched telephone network and POTS rely. Unlike copper, fiber is not powered by the central office and, therefore, does not have comparable power back-up capability for networks and customer equipment. Additionally, as AICC noted in the TDM-to-IP proceeding, important safety features of copper-supported services are sometimes bypassed by the broadband provider, such as line seizure and the ability to appropriately encode and decode

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[8] *Reply Comments of AICC,* GN Docket No. 12-353, filed February 25, 2013, at pp. 2-3.
[9] *Id.*
[10] *Request* at p. 15.
[11] *Comments of United States Telecom Association,* WC Docket No 12-353, RM-11-358, filed March 5, 2013 at p. 6; *Comments of Verizon and Verizon Wireless,* WC Docket No 12-353, RM-11-358, filed March 5, 2013 at pp. 11-12 (characterizing copper maintenance as "unnecessary" where fiber has been deployed).

the tone messages sent by alarm panels.[12] As a result, the availability of an alternative to copper does not necessarily render copper infrastructure obsolete. The Commission should therefore take steps to ensure that copper is not retired where customers still depend upon it for services, especially if comparable features are not available on alternative infrastructure.

In light of the forgoing, AICC respectfully requests that the Commission carefully examine the usefulness of existing copper infrastructure, as demonstrated by the comments filed in this proceeding, before allowing its retirement. At minimum, AICC agrees with Mpower *et al.*'s goal of preserving copper infrastructure where at least one customer is benefitting from its existence.

Respectfully submitted,

**ALARM INDUSTRY COMMUNICATIONS COMMITTEE**

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[12] *Reply Comments of AICC, supra* fn. 8, at p. 3.