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FCC Mail Room

April 1, 2013

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

EX PARTE OR LATE FILED

Terie T. Norelli  
Speaker  
New Hampshire House  
President, NCSL

Patsy Spaw  
Secretary of the Texas Senate  
Staff Chair, NCSL

William Pound  
Executive Director

**RE: Ex Parte Communication; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, GN Docket No. 12-353**

Dear Chairman Genachowski:

The National Conference of State Legislatures (NCSL) submit the following comments regarding the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition (GN Docket No. 12-353).

State legislatures and state regulators have been at the forefront of deregulation of the telecommunications industry, removing barriers to competition in local markets and promoting the development of infrastructure for the delivery of advanced telecommunications. State legislators recognize that deregulation and competition are among the means to reach the goals of advanced infrastructure development, universal service, expanded consumer choice, availability of services and cost effectiveness for our constituents. Accordingly, the NCSL supports the limited trials proposed in the AT&T petition (GN Docket No. 12-353) advancing the transition to the IP based world and easing the path to investment in the States.

The proposed trials requested by AT&T stand to render important lessons and empirical evidence for regulatory modernization in the states. Government, working cooperatively with industry, should strive for a communications policy framework that promotes and ensures fair and open competition, removes obsolete barriers that result from outdated burdensome regulation and requirements, ensures similar regulation for all technologies that provide similar services in markets that are competitive, encourages innovation and investment, and allows consumers and the marketplace to determine technologies not government regulation.

Finally, while the NCSL is generally supportive of the application from AT&T, we request your consideration to the sovereign rights and responsibilities of states to regulate intrastate telecommunications, recognizing that states have unique priorities that require state and regional specific solutions. However, while we acknowledge the historic role of states as the primary regulator of intrastate telecommunications, state legislators are also pragmatic and recognize that the historic distinctions between intrastate and interstate communications is quickly blurring in today's global marketplace.

We appreciate the opportunity to express the views of our colleagues from across the country. Should you have additional questions about NCSL's position, please contact James Ward at 202-624-8683, [james.ward@ncsl.org](mailto:james.ward@ncsl.org).

Sincerely,

Speaker Terie Norelli  
New Hampshire House of Representatives  
President, NCSL

Senator Bruce Starr  
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