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**Ex Parte**

**VIA ECFS**

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

**Re: Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps To Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act, GN Docket No. 12-228**

Dear Ms. Dortch:

On July 31, 2013, William Johnson, William Wallace, and Ian Dillner of Verizon met with Priscilla Delgado Argeris, Legal Advisor to Commissioner Rosenworcel. During the meeting, we discussed issues raised in our comments in this proceeding regarding the Commission's annual inquiry into the timeliness and reasonableness of broadband deployment.<sup>1</sup>

We explained that broadband is being deployed in a reasonable and timely fashion, and that the Commission should answer the Section 706 inquiry accordingly. Indeed, policies that have unleashed billions of dollars in facilities-based broadband investment are ensuring that the U.S. is a leader in next-generation wireline and wireless broadband deployment. The U.S. has a vibrant, competitive broadband marketplace that is pushing Verizon and its competitors to upgrade and invest tens of billions of dollars each year in their networks, providing customers with faster, better, and more widely available services every day. In this regard, we highlighted recent examples of the consumer benefits of these efforts.<sup>2</sup> Specifically, we noted that Verizon Wireless now offers its 4G LTE service in 500 markets in 49 states, serving over 300 million people, and addressing 99 percent of its 3G mobile broadband footprint.<sup>3</sup> We also explained that Verizon's all-fiber FiOS network now passes 18 million homes, and Verizon recently introduced a new Internet access tier on this network that offers consumers 500 Mbps downstream and 100 Mbps upstream.<sup>4</sup> These are only two of the multitude of broadband choices available to consumers, driven by the competitive broadband market. Given the remarkable and ongoing deployment of

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<sup>1</sup> See Verizon Comments, GN Docket No. 12-228, filed Sept. 20, 2012 (Verizon Comments).

<sup>2</sup> See Lowell C. McAdam, Op-Ed, *How the U.S. Got Broadband Right*, N.Y. Times, June 21, 2013, at A23, available at: [http://www.nytimes.com/2013/06/21/opinion/how-the-us-got-broadband-right.html?\\_r=1&](http://www.nytimes.com/2013/06/21/opinion/how-the-us-got-broadband-right.html?_r=1&); Verizon Comments at 3-12.

<sup>3</sup> Tom Pica, Verizon Wireless, News Release, *The Future Is Here, and It Is 4G LTE: Network expansion is transforming the world of mobile*, June 27, 2013, available at: <http://news.verizonwireless.com/news/2013/06/verizon-wireless-500-4G-LTE-markets.html>.

<sup>4</sup> Deidre Hart, Verizon, News Release, *500 Megabits Per Second... The Future or Futuristic?*, July 22, 2013, available at: <http://newscenter.verizon.com/residential/news-articles/2013/07-22-verizon-500-megabits-per-second%E2%80%A6-the-future-or-futuristic/>.

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broadband services, we encouraged the Commission to revise its approach to this inquiry and confirm that broadband deployment is reasonable and timely in the overwhelming majority of the country.

We encouraged the Commission to ensure that its assessment of broadband deployment fully reflects the expanding range of choices now available to consumers, including mobile Internet access services.<sup>5</sup> The Commission's previous report erred by discounting this important source of broadband connectivity that is being widely embraced by consumers, and, particularly with the widespread availability of 4G LTE, the Commission's analysis should reflect the widespread deployment of these services. We also emphasized that the Commission should not evaluate mobile services differently from fixed services under separate benchmarks because the statute requires the Commission to study broadband services "without regard to any transmission media or technology ... using any technology."<sup>6</sup> Finally, we said there is no reason for the Commission to adopt new criteria, such as latency or usage-based billing thresholds, to evaluate broadband deployment.<sup>7</sup> There is no basis in the statute for making such distinctions among broadband services, and using such criteria would hinder the proper assessment of broadband deployment.

Sincerely,



cc: Priscilla Delgado Argeris

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<sup>5</sup> Verizon Comments at 12-18.

<sup>6</sup> 47 U.S.C. § 1302(d)(1). *See* Verizon Comments at 20-21.

<sup>7</sup> Verizon Comments at 20-24.