

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Technology Transitions Policy) GN Docket No. 13-5
Task Force Seeks Comment on)
Potential Trials)

REPLY COMMENTS OF SPRINT CORPORATION

Sprint Corporation (“Sprint”)¹ hereby respectfully submits its reply comments in the above-captioned docket.² The Commission should not order a voice IP interconnection trial; instead, the Commission should immediately reiterate that Sections 251 and 252 apply to IP interconnection and remove all remaining roadblocks that are preventing competitive carriers from continuing their advance toward IP interconnection. The voluntary transition is well underway by CLECs, cable companies, and some wireless carriers. What is needed is unequivocal direction to the state commissions that the 251/252 mechanism is always available to force compliance for those incumbent carriers and their affiliates that are reluctant to engage in IP interconnection.

I. VOICE IP INTERCONNECTION TRIALS ARE UNNECESSARY

The majority of the industry agrees that trials are unnecessary to determine whether IP interconnection is feasible.³ While different carriers do differ about the

¹ On July 10, 2013, Sprint Nextel Corporation and SoftBank Corp. completed their merger. As part of the transaction, the new publicly traded company is named Sprint Corporation.

² Public Notice, *Technology Transitions Policy Task Force Seeks Comment on Potential Trials*, GN Docket No. 13-5, DA 13-1016, at 1 (released May 10, 2013).

³ Comments of Cbeyond, EarthLink, Integra, Level 3, and tw telecom, GN Docket No. 13-5, at 11 (filed July 8, 2013) (“Cbeyond Comments”); Comments of AT&T, GN Docket No. 13-5, at 20 (filed July 8, 2013) (“AT&T Comments”); Comments of Verizon and Verizon Wireless, GN Docket No. 13-5, at 2 (filed

C. AT&T's Argument that the Commission Lacks Jurisdiction Under Sections 251/252 Is Without Merit

The FCC has consistently used its Title II authority and ancillary jurisdiction to regulate VoIP services.¹⁹ Regulating IP interconnection under 251 and 252 is no different despite AT&T's claim to the contrary.²⁰ AT&T is currently seeking to discontinue its switched access Common Transport IP Option ("CTIP"), a tariffed voice IP interconnection service it offers in its BellSouth states.²¹ The fact that AT&T included CTIP in its interstate access tariff may reasonably be interpreted as an acknowledgement by AT&T that such IP traffic handoffs involve a regulated activity subject to tariff, and that voice IP interconnection has been technically feasible for the several years in which CTIP was included in its ILEC access tariff. The fact that AT&T currently has no customers for its CTIP service may well be a function of the rates associated with this service; the applicable switched access charges (the same rates that apply to traffic delivered to BellSouth in TDM format) remain above cost and thus deter potential customers from subscribing to CTIP. If CTIP rates are reduced and ultimately give way to bill-and-keep arrangements—consistent with the Commission's intercarrier-compensation reforms—CTIP may well become a financially acceptable transport

¹⁹ See, e.g., Report and Order, *In the Matter of Preserving the Open Internet*, GN Docket No. 09-191, ¶¶ 125-126 and authorities cited therein. Furthermore, the Commission has applied other Title II requirements to VoIP providers, including the consumer privacy regime of Section 222 of the Communications Act (*In the Matter of Implementation of the Telecommunications Act of 1996*, CC Docket No. 96-115 (March 13, 2007) ¶¶ 54-59); the service discontinuation requirements of Section 214 (*In the Matter of IP-Enabled Services*, WC Docket No. 04-36 (May 13, 1999)); the telephone disability access rules 214 (*In the Matter of IP-Enabled Services*, WC Docket No. 04-36 (May 31, 2007)); number porting requirements (*In the Matter of Telephone Number Requirements for IP-Enabled Services Providers*, WC Docket No. 07-243 (Oct. 31, 2007), ¶¶ 21-29); and 911 emergency calling regulations (*In the Matter of IP-Enabled Services*, WC Docket No. 04-36 (May 19, 2005)).

²⁰ AT&T Comments at 23-24.

²¹ See Section 63.71 *Application of BellSouth Telecommunications, LLC d/b/a AT&T Southeast for Authority Pursuant to Section 214 of the Communications Act of 1934, As Amended, to Discontinue the Provision of Service*, filed June 11, 2013 in WC Docket No. 13-176 and Comp. Pol. File No. 1116 (Public Notice DA 13-1514 released July 3, 2013).

alternative for carriers that wish to deliver their traffic to BellSouth's switched network in IP format.

III. THE INDUSTRY AGREES THAT THE IP NETWORK SHOULD NOT REPLICATE THE TDM NETWORK ARCHITECTURE

As Sprint explained in its initial comments, it would be folly to structure the voice IP network of the future based on the TDM network architecture of the past. There is no need to have thousands of POIs at thousands of end offices throughout the country deep within the incumbents' networks. The voice IP network should follow the lead of the data IP network, which has a handful of interconnection points. Given that much of the voice IP traffic will inevitably be carried on the same facilities as existing data traffic, it makes perfect sense to use those same interconnection locations for both types of traffic. Competitive carriers, cable providers, and wireless carriers support this approach,²² as does AT&T.²³

IV. CONCLUSION

The industry and consumers are eager to implement IP interconnection. The carriers are ready, even those that deny the Commission and state commissions have a role to play in crafting agreements. The way forward is for the Commission to explicitly reaffirm the applicability of Sections 251 and 252 so that negotiations—and arbitrations as needed—can proceed apace.

²² See, e.g., Cablevision Comments at 2; T-Mobile Comments at 3-6; Sprint Comments at 10.

²³ AT&T Comments at 22; CenturyLink Comments at 18-20 (recognizing that fewer interconnection points will be needed but arguing against a single, nationwide interconnection point). Verizon did not address this issue in its comments.

Respectfully submitted,

SPRINT CORPORATION

/s Keith C. Buell

Charles W. McKee
Vice President, Government Affairs
Federal and State Regulatory

Keith C. Buell
Senior Counsel, Government Affairs
Federal Regulatory

900 Seventh St. NW
Suite 700
Washington, DC 20001
(703) 592-2560

August 7, 2013