



June 27, 2014

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, GN Docket No. 12-353; Technology Transitions, GN Docket No. 13-5; Petitions for Rulemaking and Clarification Regarding the Commission's Rules Applicable To Retirement of Copper Loops and Copper Subloops, RM-11358; Letter of US TelePacific Corp. et al. Requesting Commission to Refresh Record and Take Expedited Action to Update Copper Retirement Rules to Promote Affordable Broadband Over Copper, WC Docket No. 10-188; A National Broadband Plan for Our Future, GN Docket No. 09-51, WB Docket No. 13-306, Petition of Public Knowledge et al. for Declaratory Ruling that Section 222 of the Communications Act Prohibits Telecommunications Providers from Selling Non- Aggregate Call Records Without Customers' Consent

Dear Ms. Dortch:

On June 25, 2014, Harold Feld, Senior Vice President, and Clarissa Ramon, Government Affairs and Outreach Associate of Public Knowledge (PK) met with Amy Bender from Commissioner O'Rielly's office.

Public Knowledge expressed concern over lack of Commission ruling on a 214(a) process for Mantoloking, New Jersey that remains pending and expressed the importance of clarifying its overall process before the next hurricane season. This has become increasingly important due to reports about copper in certain areas that is no longer being repaired, and that carriers are (a) shifting customers to wireless service, or (b) moving customers to copper while discontinuing Title II TDM service and requiring customers to take "digital voice" service which is not yet classified.¹ These reports combined with Commission inaction have the potential to leave an increasing number of residents without access to basic phone service.

While some State PUCs are looking into the matter, not all have the statutory authority, and others have been encouraged not to collect complaints on the matter of rural call completion.² The Commission has three non-exclusive paths forward, each of which it should closely consider. They are: (1) using Letters of Inquiry to find more facts and data on a national scale, as to specific carrier behavior; (2) tracking the number of complaints filed with the FCC over this matter; and (3) pursuing enforcement actions pursuant to accusations that carriers are not meeting their statutory Common Carrier mandate. Public Knowledge emphasized the

¹ Letter from Jodie Griffin, Senior Staff Attorney, Public Knowledge, et al. to Julie A. Veach, Chief, Wireline

² *Id.* at 2.

importance of quick resolution of these proceedings to maintain public confidence in the Commission's commitment to transparency and leadership in the IP Transition.

Finally, Public Knowledge urged swift resolution of the Petition for Declaratory Ruling (WC Docket No. 13-306) on use of customer proprietary network information (CPNI).³ As outlined in the original petition and reply comments, the Commission's authority over customer proprietary network information (CPNI) under § 222 of the Communications Act is a vital part of the Commission's consumer protection authority.⁴

In accordance with Section 1.1206(b) of the Commission's rules, this letter is being filed with your office. If you have any further questions, please contact me at (202) 861-0020.

Respectfully submitted,

/s/ Clarissa Ramon
*Government Affairs & Outreach
Associate*
PUBLIC KNOWLEDGE

³ Reply Comments of Public Knowledge et al., *Petition of Public Knowledge et al. for Declaratory Ruling that Section 222 of the Communications Act Prohibits Telecommunications Providers from Selling Non-Aggregate Call Records Without Customers' Consent*, WC Docket No. 13-306 (Mar. 4, 2014), available at <http://apps.fcc.gov/ecfs/document/view?id=7521088229>.

⁴ 47 U.S.C. § 222 (2008).