

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

In the Matter of	)	
	)	
Assessment and Collection of Regulatory Fees for Fiscal Year 2014	)	MD Docket No. 14-92
	)	
Assessment and Collection of Regulatory Fees for Fiscal Year 2013	)	MD Docket No. 13-140
	)	
Procedures for Assessment and Collection of Regulatory Fees	)	MD Docket No. 12-201
	)	

**NOTICE OF PROPOSED RULEMAKING,  
SECOND FURTHER NOTICE OF PROPOSED RULEMAKING, AND ORDER**

**REPLY COMMENTS OF BANDWIDTH.COM, INC.**

Bandwidth.com, Inc. ("Bandwidth") files these reply comments in the above captioned proceeding specifically with regard to the Commission's proposal to impose regulatory fees on RespOrgs for the first time in the coming fiscal year.<sup>1</sup> Bandwidth agrees with the comments filed by AT&T which correctly observe that the proposal to impose regulatory fees on RespOrgs lacks sufficient empirical and public policy support to proceed at this point in time.<sup>2</sup>

At the outset, the light commentary on the brief reform proposal may well signify a general lack of awareness of the proposed change across the industry, but perhaps more

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<sup>1</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2014; etc.*, Notice of Proposed

<sup>2</sup> See Comments of AT&T Services, Inc., MD Docket Nos. 14-92, 13-140, and 12-201 (filed July 7, 2014), p. 5 ("AT&T Comments").

importantly, even in the few comments that were filed the lack of clarity of the proposal becomes evident. The comments filed by ITTA Group appear to interpret the proposal to only apply to those RespOrgs that are not carriers<sup>3</sup>, while the AT&T's Comments appear to interpret the proposal to potentially apply to carriers that are also RespOrgs.<sup>4</sup>

Assuming for the moment that the ITTA Group's interpretation concerning applicability is correct and the new fees would only be imposed on RespOrgs that are not carriers, there remain critical unknown details about the specific structure and amount of the fees being contemplated that also mean the proposal is not ready for adoption. Further, Bandwidth observes that the proposal to impose brand new regulatory fees on entities that are not generally accustomed to being regulated or paying regulatory fees, is very likely to create widespread confusion and high rates of non-compliance.

Therefore, for the foregoing reasons Bandwidth does not support imposing regulatory fees on RespOrgs for the first time this fiscal year as currently proposed.

By: \_\_\_/s/ Greg Rogers

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<sup>3</sup> See Comments of ITTA, ERTA and Windstream Corporation, MD Docket Nos. 14-92, 13-140, and 12-201 (filed July 7, 2014), p. 15. (“ITTA Group”). [“Today, this assessment may no longer be realistic, as there appear to be many toll-free numbers controlled or managed by entities that are not carriers.”]

<sup>4</sup> See AT&T Comments, at p. 5. [“It is unclear, however, how this proposal would impact carriers that are already paying on toll-free revenues, most of whom are RespOrgs and presumably would be subject to this assessment.”]

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