



## **Introduction**

ITTA, the Voice of Mid-Size Communications Companies, is a Washington, DC-based industry association dedicated to representing mid-size, incumbent local exchange carriers that provide a variety of communications services to consumers in predominantly rural areas across 45 states.

ITTA is pleased to respond to the Subcommittee on Communications and Technology's White Paper on Interconnection and welcomes the Subcommittee's interest in updating the outdated Communications Act.

In 1993 when ITTA was formed, our members offered POTS (plain old telephone service). Today, ITTA members are aggressively deploying networks capable of providing high-speed broadband services to millions of consumers, many of whom live in rural areas where the cost of deploying and operating networks is high and the return on investment is low.

In addition to offering voice and broadband services, ITTA members offer video services. Collectively, ITTA members pass in excess of 3.9 million homes with video services and compete head-to-head against traditional cable companies like Comcast, satellite providers, and online video providers like Netflix, Amazon, Hulu, Apple TV, and others.

In recent years, ITTA members have invested billions of dollars in upgrading their networks and plowing fiber to help ensure that consumers, including those who live in some of the most remote areas of our country, will have access to broadband. Simple and straightforward 'rules of the road' regarding how IP networks will be treated are needed to ensure that future investment continues. Getting interconnection policy right is critical to the future success of broadband investment and deployment. ITTA cautions policymakers that over-regulating in this space could have a devastating impact on broadband investment and deployment. Thank you again for the opportunity to comment.

Please feel free to contact Paul Raak, Vice President of Legislative Affairs, by email at [praak@itta.us](mailto:praak@itta.us) or by phone at 202.898.1514 with any questions or concerns.



**ITTA RESPONSE TO NETWORK INTERCONNECTION WHITE PAPER**

**1) In light of the changes in technology and the voice traffic market, what role should Congress and the FCC play in the oversight of interconnection? Is there a role for states?**

In general, the role of Congress and the FCC on interconnection matters should be limited to oversight and consumer protection. No other segments of our economy are more marketplace-driven than the communications and technology industries and the market therefore can be relied on in most cases to produce reasonable interconnection rules-of-the-road. To protect consumers in the limited circumstances where there is evidence of marketplace failures, however, Congress should instruct the FCC to develop a light-touch regulatory process to mediate and resolve disputes. The states can play a valuable role by assisting the FCC in evaluating whether market failures do exist and regulatory assistance is needed to protect consumers.

**2) Voice is rapidly becoming an application that transits a variety of network data platforms. How should intermodal competition factor into interconnection mandates? Does voice still require a separate interconnection regime?**

It is too early to know whether voice and data should be treated separately because the marketplace is still evolving. The FCC is currently overseeing a number of IP transition trials that should lead to a better understanding of how voice and data will be exchanged in an all IP world. The results of the trials hopefully can be used to help guide public policy on this matter.

**3) How does the evolution of emergency communications beyond the use of traditional voice service impact interconnection mandates?**

Just as our communications networks evolve so must the networks of public safety entities and first responders. Citizens have come to expect that in times of emergency their calls for help will be answered and this expectation must be respected as communications technologies and networks change. Congress must ensure that any Communications Act rewrite treats emergency communications as the highest priority.

- 4) Ensuring rural call completion has always been a challenge because of the traditionally high access charges for terminating calls to high-cost networks. Does IP interconnection alleviate or exacerbate existing rural call completion challenges?**

IP interconnection represents an opportunity to alleviate any remaining rural call completion challenges through development and application of industry standards and best practices. Work is already underway to develop such standards and best practices.

- 5) Should we analyze interconnection policy differently for best-efforts services and managed services where quality-of-service is a desired feature? If so, what should be the differences in policy between these regimes, and how should communications services be categorized?**

ITTA encourages Congress to let the marketplace function freely and avoid adopting rules that would impose different regulatory requirements on “managed” and “best efforts” services in the absence of firm evidence of market failures. Unnecessarily adding additional layers of regulation on different types of services will only lead to higher prices and fewer providers wanting to offer those services.

- 6) Much of the committee’s focus in the #CommActUpdate process has been on technology-neutral solutions. Is a technology-neutral solution to interconnection appropriate and effective to ensure the delivery and exchange of traffic?**

ITTA has long advocated for technology-neutral policies. With respect to interconnection, Congress should ensure that interconnection obligations apply equally to all non-end user entities regardless of the technology used to provide service.

- 7) Wireless and Internet providers have long voluntarily interconnected without regulatory intervention. Is this regime adequate to ensure consumer benefit in an all IP world?**

As stated in response to Question 1, ITTA believes that in an all IP world regulating interconnection is unnecessary unless a market failure exists. In the case of market failures, a process for resolving disputes should be administered by the FCC with input from the states.

**8) Is contract law sufficient to manage interconnection agreements between networks? Is there a less onerous regulatory backstop or regime that could achieve the goals of section 251?**

ITTA believes that when evidence of market failures exist, a light-touch regulatory process, equally applicable to all service providers, administered by the FCC with input from the states, may be an appropriate resolution mechanism. Contract law alone may not be sufficient in all instances to address situations where parties cannot reach agreement.