

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

In the Matter of	)	
	)	
Wireline Competition Bureau Seeks to Refresh	)	WC Docket No. 11-42
the Record on a Petition for Reconsideration	)	
Filed by the National Association of State Utility	)	
Consumer Advocates	)	

**COMMENTS  
OF  
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (NTCA)<sup>1</sup> hereby submits these comments in response to the Wireline Competition Bureau’s invitation to refresh the record on a petition for reconsideration filed by the National Association of State Utility Consumer Advocates (NASUCA).<sup>2</sup> In its petition, NASUCA sought reconsideration of several changes implemented in the 2016 Lifeline Order.<sup>3</sup> NTCA supports the NASUCA petition requesting that the Commission reconsider the phasing out of support for voice-only fixed and mobile service.

NTCA’s members are designated as Eligible Telecommunications Carriers (ETCs) and have a long history of providing service to rural low-income consumers pursuant to the Universal Service Fund (USF) Lifeline program. NTCA shares NASUCA’s concern that removal of

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<sup>1</sup> NTCA represents approximately 850 rural local exchange carriers. All of NTCA’s members are voice and broadband providers, and many of its members provide wireless, video, and other competitive services to their communities.

<sup>2</sup> See, Petition of NASUCA for Reconsideration, WC Docket No. 11-42 (filed June 23, 2016) (NASUCA Petition).

<sup>3</sup> *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016) (Third Report and Order).

support for stand-alone voice “was not necessary to meet, and in fact, contravenes, the continuing universal service goal.”<sup>4</sup> NTCA submitted a similar petition for reconsideration on this issue in 2016.<sup>5</sup>

While NTCA agrees with the Commission, that “low-income consumers should have access to the same public safety features as all Americans,”<sup>6</sup> NASUCA makes a valid point that if support for stand-alone services is removed, more Lifeline customers will be forced to buy broadband bundles, which may be unaffordable to them or unwanted. Although broadband “is now the dominant technology used to communicate, educate, inform, and entertain,”<sup>7</sup> a reliable and affordable voice service is and will remain critical for many consumers for the foreseeable future, particularly with respect to public safety.

The Commission seemingly recognized the critical connection that voice service provides when it adopted its battery backup power rules applicable to providers of facilities-based, fixed, non-line powered voice service.<sup>8</sup> Adopted just months before determining stand-alone voice would no longer be supported by the Lifeline program, the battery backup rules were established in significant part due to a recognition of the importance of consumers’ access to emergency services and acknowledgment that access to a voice service could be the difference between life

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<sup>4</sup> NASUCA Petition, p. 2.

<sup>5</sup> See, Petition for Reconsideration and/or Clarification of NTCA – The Rural Broadband Association and WTA – Advocates for Rural Broadband, WC Docket No. 11-42, et al. (filed June 23, 2016),

<sup>6</sup> *Third Report and Order*, n. 93.

<sup>7</sup> *Id.*, ¶ 12.

<sup>8</sup> See, *Ensuring Customer Premises Equipment Backup Power for Continuity of Communications*, PS Docket No. 14-174, FCC 15-98, Report and Order (rel. Aug. 7, 2015) (“Report and Order”).

and death. Yet, the Commission’s action in the 2016 Lifeline proceeding threatens to leave several low-income consumers that cannot afford a bundled voice and broadband service without access to this critical connection.

While support for voice service is available as part of a bundled voice and broadband package, this offers little to low-income rural consumers who are effectively forced to purchase a broadband service they may not want or cannot afford. For many rural low-income consumers served by NTCA members, broadband even when bundled with voice service will continue to be unaffordable despite the availability of the Lifeline discount – especially given that the high-cost universal service program only supports “reasonably comparable” voice service rates that are by definition benchmarked two standard deviations higher than urban average rates.<sup>9</sup> Such low-income consumers will be forced to decide between subscribing to a more expensive broadband and voice bundle or forgoing Lifeline support altogether.

NTCA agrees with the Commission that consumer choice should be paramount and that low-income consumers should not be “forced to purchase services they may not want within a bundle.”<sup>10</sup> It is therefore particularly perplexing why the reforms were structured in a manner that effectively force bundles on low-income consumers that may want or need voice service for public safety reasons or to stay in touch with family members and friends or potential employers. Low-income consumers should be able to choose the services that best meet their needs, considering what offerings are available and affordable – including an affordable and reliable fixed voice product that enables access to 911 without a bundled and more expensive broadband

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<sup>9</sup> See, Urban Rate Survey Data & Resources at <https://www.fcc.gov/economics-analytics/industry-analysis-division/urban-rate-survey-data-resources>

<sup>10</sup> Third Report and Order, ¶ 50

product. For example, Lifeline-eligible senior citizens who are on a fixed income for whom a bundled broadband and voice service is available but costs an additional \$50 to \$60 (or more) per month over their current standalone voice service should be permitted to continue that existing voice-only service plan.

NTCA has been vocal in its opposition to the phase-out of support for standalone voice service, especially when combined with increasing minimum service speed standards for Lifeline-supported fixed services. NTCA has previously requested that the Commission waive the strict application of its minimum service speed standard.<sup>11</sup> While well-intentioned, the Commission's requirement that Lifeline support not only be bundled with broadband, but that the broadband bundle evolve with increasing minimum service speeds, is effectively driving up the cost of communications for the most price-sensitive customers. Even for those low-income subscribers who want a voice and broadband bundle, the increasing minimum speed requirements are eroding the value of the Lifeline subsidy to the consumer year over year as the cost increases while the subsidy remains stagnant. The ever-increasing cost may force low-income consumers to discontinue their service.

NTCA therefore joins NASUCA in urging the Commission to reconsider its decision to remove support for standalone voice. No consumer, including Lifeline recipients, should be compelled to migrate to a service that costs more than they are willing and/or able to pay or that provides capabilities beyond their individual needs.

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<sup>11</sup> See, e.g., NTCA Petition for Temporary Waiver, WC Docket No. 11-42 *et al.* (fil. Oct. 20, 2017), and Petition for Temporary Waiver WC Docket No. 11-42, *et al.* (filed July 23, 2018).

Respectfully submitted,

**NTCA–The Rural Broadband Association**

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