

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

In the Matter of)	
)	
Reducing Barriers to Network Improvements and Service Changes)	WC Docket No. 25-209
)	
Accelerating Network Modernization)	WC Docket No. 25-208

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



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I. INTRODUCTION AND SUMMARY

NTCA–The Rural Broadband Association (“NTCA”)¹ hereby submits these comments in response to the Notice of Proposed Rulemaking issued by the Federal Communications Commission (“Commission”) in the above-captioned proceedings.² The NPRM seeks to eliminate regulatory barriers that prevent investment in and deployment of advanced IP-enabled networks and proposes steps to accelerate the transition to such networks.³ NTCA and its members have long championed the transition to next-generation networks and advanced communications services.⁴ NTCA members are also leaders in the IP transition and the

¹ NTCA is an industry association composed of approximately 850 community-based companies and cooperatives that provide advanced communications services in rural America and more than 400 other firms that support or themselves are engaged in the provision of such services. In the context of offering voice services, many NTCA members are incumbent local exchange carriers and rural telephone companies as defined in the Communications Act of 1934, as amended, and are referred to herein as “rural local exchange carriers” or “RLECs.”

² *Reducing Barriers to Network Improvements and Services Changes; Accelerating Network Modernization*, WC Docket Nos. 25-209, 25-208, Notice of Proposed Rulemaking, FCC 25-37 (rel. Jul. 25, 2025) (“NPRM”).

³ *Id.*, at p. 2.

⁴ *See, e.g.*, Comments of NTCA–The Rural Broadband Association (fil. Feb. 5, 2015).

deployment of advanced communications networks in rural areas – as NTCA recently noted, on average 86% of members’ customers are connected by fiber-to-the premise networks and 83% of members have IP-enabled switching capabilities resident within their networks.⁵ This commitment to modernization reflects rural providers’ dedication to delivering cutting-edge technology to some of the hardest to reach areas in rural America.

NTCA supports the Commission’s goals of eliminating unnecessary regulatory barriers that impede network modernization while maintaining essential consumer protections. The Commission must be careful, however, to distinguish between reforms that will remove burdensome and unnecessary regulatory red tape and changes that could inadvertently harm rural consumers, create regulatory uncertainty, or frustrate the mission of universal service. The Commission can achieve meaningful deregulation while protecting rural consumers by addressing the issues detailed below.

First, the Commission should eliminate the public notice filing provisions of its network change disclosure rules given that they have clearly outlived their utility. Second, as the Commission evaluates what it means to “discontinue” services, underlying network technology transitions that do not alter the rates, terms, or conditions pursuant to which customers receive service should not trigger burdensome discontinuance requirements. Third, the Commission should assess meaningful competitive alternatives or substitute services through a framework that carefully defines “facilities-based” alternatives. Fourth, any relief conferred in this proceeding for the offering of lower-speed data services must include robust safeguards that

⁵ See *ex parte* letter from Michael Romano, Executive Vice President, NTCA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-97, *et al.*, (fil. Jul. 2, 2025) (“NTCA July 2025 Technology Transitions Letter”), at p. 1.

prevent larger carriers from shifting transition costs to smaller rural providers. Finally, the Commission should initiate a formal investigation into what measures are necessary to encourage a transition to IP interconnection for the exchange of traffic across the advanced networks that will be promoted through this proceeding.

II. THE COMMISSION SHOULD ELIMINATE THE PUBLIC NOTICE FILING PROVISIONS WITHIN ITS NETWORK CHANGE DISCLOSURE RULES.

NTCA supports the Commission’s proposal to eliminate all filing requirements in the network change disclosure rules, thereby codifying the relief granted by the Wireline Competition Bureau earlier this year.⁶ As an initial matter, it bears noting that most RLECs are generally not subject to that section 251(c)(5) obligations that underpin these rules due to the exemptions and exceptions contained in section 251(f).⁷ Nonetheless, these rules do apply to some RLECs who have lost those exemptions, and NTCA supports the Commission’s continuing efforts to remove unnecessarily burdensome or overly prescriptive regulatory requirements.

The Bureau’s waivers were well-justified based on the lack of meaningful public response to network change filings and the duplicative nature of Commission filings when carriers already provide notice through other channels. Every factor that supported those waivers equally supports making these changes permanent through rulemaking.⁸

⁶ *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Order, DA 25-252 (Mar. 20, 2025).

⁷ 47 U.S.C. §251(f).

⁸ As the NPRM states, “the Commission has processed more than 400 network change disclosure filings and did not receive a single comment in opposition despite the public notices released by the Bureau.” NPRM, at ¶ 11.

While NTCA appreciates the Commission’s thorough exploration of forbearance as an alternative approach and believes there are arguments for such an approach, targeted rule changes through notice-and-comment rulemaking should provide sufficient and more direct relief without the need for the more complex and time-consuming process of utilizing the forbearance framework. The proposals for eliminating filing requirements while maintaining reasonable public notice obligations through carriers’ own channels strike the appropriate balance between reducing regulatory burden and ensuring stakeholders remain informed of network changes.⁹ Clear streamlined rules will better serve both carriers and consumers than layering forbearance analysis atop existing regulatory structures.

III. TECHNOLOGY TRANSITIONS UNDERTAKEN WITHOUT CHANGES TO RATES, TERMS, OR CONDITIONS OF SERVICE SHOULD NOT BE TREATED AS SERVICE DISCONTINUANCES REQUIRING COMMISSION AUTHORIZATION.

As NTCA recently highlighted,¹⁰ certain regulatory frameworks remain tied to legacy constructs, and these in turn can serve as a disincentive or outright barrier to the kinds of technology transitions that the NPRM intends to promote. More specifically, some of NTCA’s RLEC members have expressed increasing interest in transitioning fully to “hosted” or “cloud” based VoIP services and ceasing to maintain physical switching equipment, but absent Commission clarification as to the public policy outcomes that could manifest “on the other side” of such a transition, there is hesitation to convert entirely to such underlying network capabilities. The primary barrier to the technology transitions the Commission seeks to incent are thus not technical, but rather are the result of a current framework that fails to adequately

⁹ *Id.*, at ¶¶14-20.

¹⁰ *NTCA July 2025 Technology Transitions Letter*.

distinguish between a carrier that seeks to discontinue a service offering entirely and one that merely wishes to upgrade its underlying network technology while continuing to provide the same service through other means.

Technology transitions undertaken without changes to rates, terms, or conditions of service should not be treated as service discontinuances requiring Commission authorization. When a carrier ceases to maintain its own physical switching capability for voice service and instead wishes to leverage a cloud-based VoIP platform while maintaining the same rates, terms, and conditions as before, this should be viewed as a technology migration analogous to a switch upgrade, rather than a discontinuance requiring regulatory approval. The Commission should therefore affirmatively clarify via rulemaking that such technology transitions do not trigger section 214 discontinuance requirements.

IV. THE COMMISSION SHOULD CONSOLIDATE THE ADEQUATE REPLACEMENT/ALTERNATIVE OPTIONS TESTS INTO ONE STREAMLINED PROCESS; THIS CAN AND SHOULD BE DONE IN A MANNER THAT ENSURES CONSUMERS' ACCESS TO RELIABLE SERVICE.

As an initial matter, NTCA supports the Commission's proposal to replace the Adequate Replacement Test and Alternative Options Test with a single, consolidated rule.¹¹ Under this proposed rule, carriers could obtain streamlined discontinuance approval by certifying that adequate replacement services such as facilities-based VoIP or mobile wireless services are available in the affected area.¹² As the NPRM correctly states, the Commission's previous efforts to ensure consumers obtain the benefits of technology transitions in rapid fashion have not

¹¹ NPRM, at ¶¶26-29.

¹² *Id.*, at ¶ 26.

worked as intended.¹³ NTCA appreciates the current Commission’s efforts to streamline this process further and for the benefit of consumers.

Given this framework, keeping the focus appropriately on the consumer experience, the Commission should clearly and carefully define “facilities-based” service as part of any evaluation pursuant to the consolidated rule. In particular, a service should only be considered “facilities-based” if the provider owns or has unfettered use rights with respect to the last-mile distribution technology that connects the customer premises to the provider network. Moreover, the Commission must ensure in evaluating any service alternatives that consumers retain access specifically to standalone voice service and are not forced to purchase bundled broadband service simply to obtain and maintain access to voice communications. This is particularly critical for customers who may not need or want broadband service but require reliable voice service for emergency access. Any replacement service assessment under the consolidated rule must preserve the availability of standalone voice options at reasonable rates.

In addition, the Commission should require additional verification beyond baseline mapping data before accepting mobile service as sufficient replacement service. This additional verification could take the form, for example, of drive-testing results submitted to demonstrate that mobile wireless service is available across a market for which discontinuance of legacy service is sought. Even as they may have improved over time, broadband mapping remains unreliable on a granular level in many rural areas, and without accurate coverage data it will be difficult to verify whether mobile voice service truly provides adequate replacement for discontinued wireline service without more meaningful, data-driven assessments of where such

¹³ *See id.*, at ¶ 27.

coverage exists.¹⁴ Moreover, mobile wireless service remains spotty and unreliable in many rural areas – sometimes due to foliage and the topography in rural areas – and thus the Commission should proceed with caution before taking steps that could leave rural consumers without access to a reliable voice service. Indeed, the Commission in recent years has taken several steps to modernize and generally make more reliable the nation’s 911 system¹⁵ – ensuring that mobile wireless services are truly available to all consumers would be consistent with this Commission’s commitment to public safety services for consumers.

As noted above, the Commission’s proposed consolidated rule would allow streamlined processing when a carrier can certify that one of five replacement services exist in the affected area.¹⁶ Unlike the four other proposed methods through which a provider undertaking a technology transition can certify that a replacement service exists throughout the affected service area,¹⁷ the “widely adopted” test is highly detailed and fact-specific view of a particular

¹⁴ See Petition for Reconsideration of the Rural Wireless Association, Inc., GN Docket No. 20-32, (fil. Jan. 10, 2025).

¹⁵ *Facilitating Implementation of Next Generation 911 Services (NG911)*, PS Docket No. 21-479, Report and Order, FCC 24-78 (rel. Jul. 19, 2024) (setting in motion a two-phased transition to NG911 for emergency services across the nation); *Facilitating Implementation of Next Generation 911 Services (NG911)*, PS Docket No. 21-479, Further Notice of Proposed Rulemaking, FCC 25-21 (rel. Mar. 28, 2025) (seeking comment on updating the Commission’s 911 reliability rules to account the many new entities involved in delivering a call to public safety answering points in the emerging NG911 environment).

¹⁶ NPRM, at ¶ 34.

¹⁷ *Id.*, at ¶ 26 (“Specifically, we propose that an application to discontinue an existing retail service as part of a technology transition be eligible for streamlined processing if the applicant certifies that one or more of the following replacement services exists throughout the affected service area: (1) a facilities-based interconnected VoIP service; (2) a facilities-based mobile wireless service; (3) a voice service offered pursuant to an obligation from one of the Commission’s modernized high-cost support programs; (4) a voice service that has been available from the applicant throughout the affected service area for the previous six months and for which the carrier has at least a certain number of existing subscribers.”).

market/geographic area. Such a fact-specific inquiry is more suited to a waiver proceeding under which the Commission can analyze data brought forth by a petitioning provider as opposed to utilizing a certification that fails to analyze such data across the market in question.

V. THE COMMISSION SHOULD NOT ADDRESS LOWER-SPEED DATA TELECOMMUNICATIONS SERVICES AT THIS TIME.

The Commission should proceed with caution in possibly relaxing the standards for discontinuance of lower-speed data telecommunications services, particularly DS1 and DS3 circuits.¹⁸ As the backdrop to this conversation, most NTCA members subtenant upstream tandem facilities owned and operated by larger national and regional operators, and they rely in part on DS1 and DS3 connections provisioned by the larger providers for the exchange of voice traffic through these tandems. The record shows that price cap carriers have been increasing pricing on these essential transmission circuits.¹⁹ NTCA members have raised concerns to NTCA regarding this as well and have also reported that some carriers have even suggested discontinuance altogether despite the presence of no meaningful alternative facility or service (whether in IP or TDM). These circuits are critical infrastructure for many rural providers, and price cap carriers' ability to discontinue DS1s and DS3s without adequate replacement services could harm rural communities. At the very least, the Commission should decline to allow discontinuance of these connections absent a showing by the provider seeking such relief that the carrier has an alternative IP offering available for the same route pathway as the discontinued service on reasonable rates, terms, and conditions. In the alternative, addressing the process for

¹⁸ *Id.*, at ¶¶ 70-84.

¹⁹ *Ex parte* letter from Tamar Finn, Counsel to Bandwidth, Inc., Cooley LLP, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 25-209, et al., (filed Sep. 18, 2025), at p. 2 (noting “extreme price increases for DS1s/DS3s”).

discontinuance of these services could be incorporated into a proceeding, discussed further below, to facilitate the industry migration to IP interconnection – indeed, questions surrounding the adequacy of replacements for these services and whether they will continue to be a part of the interconnection framework in the same manner they are today are ripe and more appropriate for closer examination in such a comprehensive proceeding.

VI. THE COMMISSION SHOULD INITIATE A PROCEEDING TO FACILITATE MIGRATION FROM NON-IP INTERCONNECTION ARRANGEMENTS.

NTCA supports the deregulatory thrust of this proceeding, but in the end, meaningful technology transitions require more than elimination of legacy requirements with respect to the offering of retail end user services. More specifically, the Commission should also examine how connecting carriers route and exchange IP-enabled traffic throughout the broader communications ecosystem – this is necessary to ensure that modern IP networks available to end-users can function as intended on a nationwide basis consistent with a mission of universal service, rather than just on the networks of the largest operators that may strike bilateral arrangements of their own. Unfortunately, the persistent presence of non-IP facilities within and across voice networks not only undermines the Commission’s IP transition goals, but it also undermines many pro-consumer initiatives. More specifically, as is clear from a recently initiated non-IP call authentication proceeding,²⁰ the presence of non-IP networks is substantially undermining the STIR/SHAKEN framework.²¹ Moreover, these non-IP facilities undermine other services critical to protecting consumers and that consumers desire, such as call-blocking

²⁰ *Call Authentication Trust Anchor*, WC Docket No. 17-97, Notice of Proposed Rulemaking, FCC 25-25 (rel. Apr. 29, 2025).

²¹ *Id.*, fn. 12, stating that “as many as 57.2% of calls that may be signed by the originating provider reach their destination unsigned.”

notifications and Rich Call Data/Branded Calling services that are critical to restoring trust in caller-ID while also ensuring that consumers are protected from mistakenly blocked calls.²²

For NTCA members specifically, the lack of regulatory certainty with respect to IP interconnection is a persistent barrier to fully leveraging their own modern IP networks. As noted earlier in these comments, the vast majority of NTCA members have IP switching facilities within their networks today. Despite making the investment in modern IP networks and fiber connectivity along with IP-based consumer protection services like STIR/SHAKEN capability, the typical NTCA member is unable to fully leverage these capabilities for the vast majority of calls routing to and from its subscribers – as noted above, in the absence of greater regulatory clarity and a reasonable backstop for terms to govern IP interconnection, most traffic to and from these rural areas is still routed through upstream providers’ TDM tandems.

Thus, the Commission’s efforts to advance technology transitions would be incomplete, if not undermined, by the failure to address IP interconnection issues that have long vexed providers of all kinds. Even as IP interconnection is likely to transition to, among other options, a mix of direct physical connections between carriers, virtual use of SIP connectivity, or procurement of third-party routing services such as those offered by hosted VoIP platforms, each of these does not come without risk of disruption and/or increased costs to rural consumers.

Such methods will require small rural providers to arrange for the new routing methods to

²² Comments of NTCA, WC Docket No. 17-97 (filed. Jul. 16, 2025), at p. 11 (stating that “call-blocking notifications – transmitted to calling parties in the event their calls are blocked at the network level by terminating providers and offering the calling party the ability to initiate a “redress” process – are less effective as critical information is lost as they are transmitted over non-IP facilities.”); Comments of The American Bankers Association, *et al.*, WC Docket No. 17-97 (filed. Jul. 16, 2025), at p. 5 (stating that “IP networks facilitate the deployment of additional consumer protections such as branded calling, which displays the name and/or logo of the caller and reason for the call.”).

achieve such interconnections, and absent even basic “rules of the road,” the likely result is the foisting of significant new costs on RLECs (and their small customer bases) for such routing that they do not bear today.

To be clear, NTCA recognizes that IP interconnection will look very different than it does today and will offer greater network-wide efficiencies. Yet the key concern from the rural carrier perspective is that new models of interconnection do not result in a transfer of the costs of interconnection from a shared responsibility today between operators of all sizes to a system where the costs “flow downhill” to smaller and rural operators and the customers they serve. In rural areas this could jeopardize the mission of universal service, as these costs are not necessarily “baked into” the support that is provided today through universal service mechanisms to ensure that voice services remain reasonably comparable in price to those available in urban areas. A proceeding to address these and other barriers that limit incentives for IP interconnection is a critical step toward achieving the Commission’s comprehensive technology transition goals.

VII. CONCLUSION

NTCA supports the Commission’s focus in this proceeding upon unnecessary regulatory barriers that impede network modernization. The proposals in this NPRM can accelerate the deployment of advanced networks while maintaining essential consumer protections. NTCA urges the Commission to implement the previously mentioned reforms while maintaining appropriate targeted safeguards for consumers and competitive markets as described herein and taking additional steps to ensure the benefits of technology transitions accrue to the benefit of consumers nationwide. With such careful consideration and calibrated approaches, the

Commission can achieve its deregulatory objectives in a manner that furthers the vision of access to advanced networks for all.

Respectfully submitted,



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