

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
 )  
VCXC Petition for Notice of Inquiry on ) GN Docket No. 13-5  
the Migration to HD Voice )

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

NTCA–The Rural Broadband Association<sup>1</sup> (“NTCA”) hereby submits this reply to the comments filed regarding the above-referenced Petition.<sup>2</sup> NTCA urges the Federal Communications Commission (the “Commission”) to play an active role in connection with any technology transition, including perhaps most importantly ensuring that reasonable and carefully constructed “rules of the road” are in place so that core public policy objectives can be sustained and fulfilled as part of any such transition.

NTCA members – and their consumers – have a direct and significant stake in the outcome of technology transitions. As outlined in NTCA’s still-pending “IP Evolution” petition, rural network operators:

have not stood idly while the IP evolution hurtles past them. To the contrary, these small carriers have been at the forefront of this evolution, leveraging entrepreneurship, private capital, universal service support, intercarrier compensation, sound working partnerships with federal and state regulators, and a commitment to the high-cost communities they serve to make responsible and “commendable” progress thus far in deploying broadband-capable networks and cutting-edge, IP-enabled switching/routing

---

<sup>1</sup> NTCA represents nearly 900 rural rate-of-return regulated telecommunications providers. All of NTCA’s members are full service local exchange carriers and broadband providers, and many provide wireless, video, satellite, and/or long distance services as well.

<sup>2</sup> VCXC Petition for Notice of Inquiry on the Migration to HD Voice, GN Docket No. 13-5 (filed Feb. 25, 2014).

platforms. As of December 2010, small rural carriers had deployed broadband to over 92 percent of their customers, and more than half of these carriers had either already deployed or had plans to deploy softswitches by the end of 2011. Rural carriers have thus led the IP evolution to date, and [the NTCA Petition] reflects their strong interest in pursuing a sensible path to promote and ultimately sustain that ongoing transition.<sup>3</sup>

But as NTCA has also made clear in repeated filings since then, such investments in cutting-edge networks and the ability to overcome the challenges of operating on a sustainable basis in rural areas have not occurred in a vacuum; they are dependent in substantial part upon carefully constructed regulatory frameworks that provide business certainty and help to ensure that our nation does not lose sight of core principles such as consumer protection and universal service as technologies evolve. To this end, NTCA has previously suggested:

[R]apid deployment of IP technology, in parallel with TDM, has already created enormous complexity and inefficiencies in the network, with no clear agreement or consensus on uniform technical standards. To be sure, regulatory policy questions arising in large part because of technological transitions cannot be resolved without some reference to technical issues, and similarly, certain policy determinations (or “ground rules”) will and must guide technical decisions with respect to how, for example, public safety requirements will be fulfilled or competitively neutral network interconnection achieved. But . . . the technical aspects of such issues should be examined to the extent possible in a distinct, open, multi-stakeholder, consensus-driven technical working process that does not permit “capture” by specific segments of the telecom industry, does not result in a “pay-to-play” environment where the largest providers can dominate the debate or the results, and does not rely predominantly (if not exclusively) upon unilateral decisions made by a single carrier in a trial or private, bilateral negotiations between individual service providers to fulfill technology transitions.<sup>4</sup>

---

<sup>3</sup> *Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Evolution*, WC Docket No. 12-353 (filed Nov. 19, 2012), at 3 (citations omitted).

<sup>4</sup> Reply Comments of NTCA, *et al.*, WC Docket No. 12-353, at 7-8 (citations omitted).

The comments filed thus far urging a transition to HD voice focus upon the potential benefits of such technology and the need to examine technical standards, but beyond ambiguous reference to the DTV transition or touting some initial commercial attempts at voluntary interconnection agreements,<sup>5</sup> these comments do not clearly address the degree to which a sensible regulatory framework is also essential to the ultimate success of this transition to the benefit of *all* American consumers. Unfortunately, “real world” examples underscore the importance of making sure there are “rules of the road” governing how providers interact with one another in such a transition, rather than treating the transition as a “Wild West” in which “it’s every provider (and apparently consumer) for itself.” Perhaps the most notable example for rural consumers of the need for sensible regulation is their lingering “disconnection” from other Americans as calls dash and dart – or too frequently stall and get dropped – across a patchwork of TDM and IP-enabled networks. The availability of HD voice will matter little if calls never arrive at their destination, and the ongoing experience of rural call completion failures engenders little confidence in the commercial market alone to arrive at a solution for ensuring that very distant areas that are higher cost to serve than others do not end up cut off from other Americans.

Similarly, recent experiences with “robocalls” underscore the need for clear rules and active enforcement as calls migrate to different platforms. Rural consumers and the telcos that serve them report an increasing amount of harassing robocalls arriving at all hours of the day and night with inaccurate/incomplete caller ID information. While the Commission has rules on the books that technically make such calls illegal, the multiple platforms across which such calls hop is confounding enforcement, and the presence of providers in the middle who avoid (or even disavow) any regulatory oversight or accountability under the auspices of their allegedly

---

<sup>5</sup> See, e.g., VON Coalition at 3, Vonage Holdings Corp. at 3.

“enhanced” technology platforms further complicates matters. To resolve such concerns, the Commission should make clear that a provider’s self-selected technological choice in the routing of calls (whether interconnected VoIP, non-interconnected VoIP, partially interconnected VoIP, quasi-interconnected VoIP, or HD voice) is irrelevant to the imposition of regulatory accountability and – consistent with the “two-track” approach advocated above – should then also work as promptly as possible with the industry to find a technical solution that either finds a way to “blacklist” certain calls containing spoofed call detail information and/or creates a means of attaching some immutable identification tag that cannot be spoofed.

Accordingly, while NTCA takes no position upon whether a specific Notice of Inquiry with respect to HD voice migration is necessary (apart from any other ongoing technology transition examinations), NTCA urges the Commission to ensure – to the extent it were to proceed with such an inquiry – that such an inquiry would include an examination of both the technical details *and also* the regulatory frameworks needed to serve core statutory principles of universal service, consumer protection, competition, public safety, and network reliability in connection with any such transition.

Respectfully submitted,



By: /s/ Michael R. Romano  
Michael R. Romano  
Senior Vice President - Policy

4121 Wilson Boulevard, Suite 1000  
Arlington, VA 22203  
[mromano@ntca.org](mailto:mromano@ntca.org)  
703-351-2000 (Tel)  
703-351-2036 (Fax)