



Washington Watch

NECA Publication

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Broadband

6/3/10—NECA and Princeton Edge Lab released a [paper](#) entitled "United States' Broadband Goals: Managing 'Spillover Effects' to Increase Availability, Adoption and Investment - A Discussion." The paper presents case studies, called network scenarios, to prompt an exchange of ideas about systematic approaches and the science needed for achieving the policy objectives in the FCC's National Broadband Plan: universal broadband availability, high adoption rates, and efficient and sustainable investment in infrastructure. The scenarios highlight the pervasiveness and importance of spillover effects where an individual participant in the broadband market can alter the efficiency and value proposition of the entire U.S. broadband network.

FCC RELEASES

Universal Service

[Public Notice](#)

6/3/10—The FCC issued a Public Notice seeking comment on the AT&T, Verizon, CenturyLink, and SureWest [petition](#) for clarification or partial reconsideration of the USTelePacific [Order](#). The petition seeks confirmation that under the Commission's existing orders and rules TelePacific's underlying wholesale carriers cannot be forced to restate prior year revenues and make additional contributions to the Universal Service Fund. **Comments due July 6; Replies due July 21.**

Video

MB Docket No. 10-56

6/3/10—The FCC [announced](#) a public forum to discuss the proposed Comcast-NBC Universal merger on Tuesday, July 13, 2010, from 1:00 - 8:00 p.m. at Northwestern University Law School.

INDUSTRY FILINGS (& OTHER)

Broadband

GN Docket No. 10-90

6/3/10—The following early comment was filed on the [Notice of Inquiry and Notice of Proposed Rulemaking](#) seeking comment on the use of a forward-looking economic cost model to determine efficient and targeted support levels for broadband deployment in high-cost areas, and proposals to cap the existing high-cost fund and cut legacy high-cost programs. **Comments due July 12; replies due Aug. 11.**

[GVNW](#)

[Ex Parte](#)—**GN Docket No. 09-51**

6/2/10—Lariat had a telephone call with Priya Aiyar, Legal Advisor to Chairman Genachowski, and Sharon Gillett, WCB Chief, to discuss the Comcast Order and the "Third Way" approach. Lariat said investors are not confident that Lariat's wireless ISP business would be able to survive, much less prosper, under Title II regulation, and are not confident that a promise of forbearance from any portion of Title II could be made permanently binding. Lariat also said an additional hindrance to the expansion of its service to rural areas has been a lack of action by the Commission to curtail special access pricing.

[Ex Parte](#)

6/3—MetroPCS, *et al.* filed in support of the National Broadband Plan's findings regarding the nationwide interoperable public safety broadband wireless network (PSBB network) for first responders. MetroPCS, *et al.* supports the cost model supporting the NBP's funding recommendations for the PSBB network, and believes the OBI estimates and assumptions are reasonable based on their own internal cost estimates and their own experiences in the industry.

[Ex Parte](#)—**GN Docket No. 09-137**

6/3/10—USTelecom met with Christine Kurth, Legal Advisor to Commissioner McDowell, to urge the Commission to ensure that the Commission's Section 706 Report to Congress on the state of broadband in the U.S. reflect the extraordinarily rapid deployment of broadband networks to the vast majority of Americans, as demonstrated in the Commission's recent National Broadband Plan.

6/3/10—The Department of Commerce's Inspector General issued a [semiannual report](#) to Congress identifying several concerns in the BTOP pre-award process and expressing concern with whether NTIA has identified and obtained needed resources to execute a grant program of BTOP's magnitude in the Recovery Act's timeframe. The OIG said over the next 6 months, NTIA must address several challenges as it concurrently monitors first-round grant awards and issues new awards, including coordinating with other federal organizations supporting contract and grants management and overseeing contractors implementing BTOP.

Universal Service

CC Docket No. 02-6

6/3/10—The following replies were filed on USTelecom, *et al.*'s [petition](#) seeking clarification of the scope and meaning of the Commission's "lowest corresponding price" rule in the E-rate program rules. [Public Notice](#).

[USTelecom and CTIA](#)

[Ex Parte](#)—**WC Docket No. 06-122**

6/3/10—Vonage filed an ex parte responding to a May 14, 2010 [ex parte](#) from the Nebraska PSC and Kansas CC regarding their petition that state USF funds may assess nomadic VoIP intrastate revenues. Vonage again refuted the Nebraska PSC and Kansas CC's argument that states may impose state USF obligations on nomadic VoIP providers such as Vonage, and reiterated its belief that the Nebraska PSC and Kansas CC's position is contradicted by the Vonage preemption order.

[Ex Parte](#)—**WC Docket No. 09-197**

5/28/10—Standing Rock Telecommunications held teleconferences with CGB and WCB staff to discuss its pending ETC petition. SRTI urged the FCC to expeditiously grant its request, and specifically asked the Commission to expedite designation for all wire centers which are wholly contained within the exterior boundaries of the Standing Rock Reservation.

6/3/10—LINE UP LLC filed a [petition for forbearance](#) asking the Commission not to apply its requirement that a common carrier designated an ETC must offer the services over its own facilities or a combination of

its own facilities and those of another carrier in order to receive USF support. LINE UP asked for forbearance so it may receive USF support under the Lifeline program and pointed out the Commission has granted similar requests to TracFone and Virgin Mobile.

CC Docket No. 96-45

6/3/10—Alliance Group Services filed an [application for review](#) of an [Order](#) denying its request for review on remand of a USAC decision rejecting Alliance's April 13, 2001 Form 499-A.

[Ex Parte](#)

6/2/10—Verizon Wireless met with WCB staff to discuss implementation of reductions to high cost universal service support for Verizon Wireless pursuant to the conditions adopted by the Commission in its November 10, 2008 order approving Verizon Wireless' acquisition of Alltel.

TRS

[Ex Parte](#)—**CG Docket No. 10-51**

6/2/10—Sorenson met with Sherrese Smith, Legal Advisor to Chairman Genachowski, Jose Rodriguez, Special Assistant to the CFO, Diane Holland of the General Counsel's office and CGB staff to discuss VRS issues. Sorenson provided information on its audited costs of providing VRS service, along with other financial information.

[Ex Parte](#)

6/3/10—Sorenson filed a corrected version of an ex parte, originally filed on May 24, 2010, which discussed an OIG audit of Sorenson. Sorenson provided a letter showing its audited costs for 2008 and 2009, and discussed the process by which the FCC would set an appropriate VRS rate for the period after June 30, 2010. Sorenson also sought information on what categories of costs could be deemed compensable, and how the FCC might determine the reasonableness of costs incurred within each category.

Video

WC Docket No. 10-71

6/3/10—The following reply comments were filed on the petition to amend the Commission's rules governing retransmission consent. Further comments can be reviewed in the June 3, 2010 edition of Washington Watch.

[Gray Television](#)

[Direct TV and DISH Network](#)

[CBS](#)

[Fox Entertainment Group](#)

[Verizon](#)

[NAB](#)

[Walt Disney CO](#)

[Public Knowledge](#)

[Mediacom](#)

[NFL](#)

[Insight Communications](#)

[Cablevision](#)

[Consumer Union et al](#)

[Time Warner Cable](#)

[Ex Parte](#)

6/2/10—Time Warner met with Joshua Cinelli, Legal Advisor to Commissioner Copps, OGC and Media Bureau staff to discuss the Commission's authority to address what TWC said are the mounting consumer harms caused by the problems afflicting the retransmission consent process. TWC also reiterated its support for promptly initiating a rulemaking proceeding to adopt reforms that would protect consumers from the threat of service disruptions and cost increases.

[Ex Parte](#)

6/2/10—Comcast had a telephone call with FCC staff regarding the Information Request issued by the Commission relating to the Comcast-NBC Universal merger. Comcast discussed the nature and scope of online rights agreements, the confidentiality provisions contained in those agreements, and the manner in which the agreements will be produced in their response to the Information Request.

TODAY'S NEWS CLIPS

AT&T tiered data plan and questions about regulatory oversight

Washington Post

By Cecilia Kang

Thanks to reader bitter bill for asking how a previous post on AT&T data pricing relates to tech policy.

Good question. There's lots of interest in Washington about consumer billing practices. There are also questions about the Federal Communications Commission's push for better authority to regulate broadband services that could affect the wireless mobile broadband industry.

http://voices.washingtonpost.com/posttech/2010/06/thanks_reader_bitter_bill_for.html

FCC chair pushes mobile broadband

By Antone Gonsalves

InformationWeek

Federal Communications Commission chairman Julius Genachowski says one way to help change the nation's status as a broadband laggard among industrialized nations is to deploy 4G wireless networks as quickly as possible.

During an on-stage interview Wednesday at The Wall Street Journal's D8 tech conference, Genachowski acknowledged that Americans pay too much for broadband service that is slower than what exists in other advanced nations. Worst of all, a recent survey of 40 industrialized nations ranks the U.S. at the bottom in terms of the speed in which it is moving to improve the situation.

http://www.informationweek.com/news/mobility/3G/showArticle.jhtml?articleID=225300219&cid=nl_IW_daily_2010-06-04_h

FCC's Clyburn emerges as solid third vote to reclassify broadband

National Journal

By David Hatch

Democratic FCC regulator Mignon Clyburn emerged Thursday as the critical third vote for Chairman Julius Genachowski's controversial proposal to regulate broadband as a public utility, delivering a potentially major blow to the telecommunications industry.

In a forceful speech to the Media Institute, Clyburn sought to debunk the hysteria from telecom carriers and lawmakers in both parties over the proposed change, insisting it is necessary to ensure the agency has a strong legal foundation to proceed with several pending initiatives. More than half of all congressional members, including 75 House Democrats, have urged Genachowski to drop his plan, warning it would amount to burdensome regulation when the nation needs to encourage investment in high-speed Internet infrastructure.

<http://techdailydose.nationaljournal.com/2010/06/fccs-clyburn-emerges-as-solid.php>

Snowe pans FCC plan on net neutrality

The Hill

By Sara Jerome

Sen. Olympia Snowe, the most vocal net neutrality supporter among GOP senators, has joined her colleagues in urging Federal Communications Commission (FCC) Chairman Julius Genachowski not to change the regulatory classification of broadband service.

Snowe said she supports the commission's goal of keeping the Internet open and expanding broadband to all Americans, but that she sees "significant drawbacks" in Genachowski's proposal to change broadband's regulatory status. The centrist Republican senator from Maine said Genachowski's effort could create uncertainty that would "hamper or delay investment in much-needed broadband."

<http://thehill.com/blogs/hillcon-valley/technology/101335-snowe-a-net-neutrality-supporter-pans-genachowskis-plan>

Editor: [Peter Peretzman](#)

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