



June 15, 2017

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84

Dear Ms. Dortch:

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned groups, we write to offer our views in this proceeding.¹ The Leadership Conference is a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States. The Leadership Conference's Media/Telecommunications Task Force is committed to ensuring that all communities, particularly those who are underserved, have access to affordable, reliable, high-quality advanced communications services, and that workers in the industry have good jobs. As discussed in more detail below, we are concerned that the Federal Communications Commission's current proceeding will undo the important progress made by the Commission to protect consumers during the transition to advanced networks.

The transition from copper circuit-switched wireline networks to fiber, co-axial cable, and wireless all-Internet Protocol (IP) networks is an important evolution of our communications infrastructure that will impact all Americans. Upgrading technologies can offer great benefits in terms of economic growth and competitiveness, flexibility, job creation, consumer service, and cost. We are mindful, however, that challenges may arise as providers upgrade the nation's infrastructure.

In its *2015 Copper Retirement Order*, the Commission achieved the important objectives of facilitating deployment of advanced networks while at the same time protecting consumers during the transition.² Relaxing the *2015 Copper Retirement* rules, as the Commission now proposes, puts communities at risk, particularly low-income people, people of color, seniors, and residents of rural areas.

In past technology transition proceedings, The Leadership Conference urged the Commission to ensure that vulnerable users are protected during and after the technology transition.³ We filed in support of "universal service, public safety, network reliability, and consumer protections, which remain as relevant in an IP network as they do in the current system."⁴ Regardless of the technology, the Commission has an obligation to ensure that everyone has access to high-quality, affordable, and reliable voice and high-speed broadband services and that long-established consumer protections are maintained during and after the transition.⁵ Not only are these services critical both in times of crisis and for essential everyday needs, but maintenance of these services also supports high-quality jobs in the telecommunications industry.⁶ The Commission's proposal to weaken the copper retirement

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rules would undermine these principles, which remain critical to the communities impacted by the technology transition.

In this proceeding, we urge the Commission to maintain the progress it made in past proceedings by preserving the advance notification and customer education requirements, particularly the notification obligations in languages other than English. Consumers rely on these protections to understand the ways in which the technology transition impacts their lives, and consumer education about the transition gives consumers time to prepare, thus facilitating a smoother transition to new technologies.

In addition, we urge the Commission to maintain vital consumer protections in the Section 214(a) discontinuance process.⁷ As The Leadership Conference noted, provider abandonment of copper lines and network damage inflicted by natural disasters increasingly leave consumers without the means to maintain basic communications with 9-1-1 and other health and safety services in times of crisis.⁸ Without reliable technology, first responders and other providers of emergency services cannot receive time-sensitive calls for help or disseminate critical information to the public during emergencies.

Finally, in its *Notice of Inquiry*, the Commission sought comment on whether there are “state barriers governing the maintenance or retirement of copper facilities that serve as a barrier to deploying next-generation technologies and services that the Commission might seek to preempt.”⁹ We oppose the preemption of state and local governments, which best understand the needs of their residents. We look forward to working with the Commission as this important technical transition takes place.

Please contact Leadership Conference Media/Telecommunications Task Force Co-Chairs Cheryl Leanza, United Church of Christ, OC Inc., at 202-904-2168 and Michael Macleod-Ball, on behalf of ACLU, at 202-253-7589, or Corrine Yu, Leadership Conference Managing Policy Director, at 202-466-5670, if you would like to discuss the above issues.

Sincerely,

The Leadership Conference on Civil and Human Rights
American Civil Liberties Union
Common Cause
Communications Workers of America
NAACP
National Consumer Law Center, on behalf of its low-income clients
National Hispanic Media Coalition
OCA – Asian Pacific American Advocates

¹ In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84 (rel. Apr. 21, 2017) (“2017 Wireline Proceeding”).

² In the Matters of Technology Transitions, *et al.*, GN Docket No. 13-5 *et al.* (rel Aug. 7, 2015).



³ Letter from The Leadership Conference on Civil and Human Rights to Marlene Dortch, Secretary, Federal Communications Commission (filed Oct. 18, 2013, FCC Docket Nos. 13-5 and 12-353) (“Leadership Conference Trials Letter”).

⁴ *Id.* at 1.

⁵ *Id.* at 2-3.

⁶ *Id.* at 3 (The Leadership Conference’s third principle states: The Commission’s policies should support economic activity, high-speed networks, and quality jobs.).

⁷ Letter from The Leadership Conference on Civil and Human Rights to Marlene Dortch, Secretary, Federal Communications Commission (filed July 7, 2016, FCC Docket No. 13-5).

⁸ Letter from The Leadership Conference on Civil and Human Rights to Tom Wheeler, Chairman, Federal Communications Commission (filed June 25, 2015, FCC Docket No. 12-353).

⁹ 2017 Wireline Proceeding, para. 113.