

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

In the Matter of:	)	
	)	
Technology Transitions	)	GN Docket No. 13-5
	)	
AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition	)	GN Docket No. 12-353
_____	)	

**COMMENTS OF  
THE MICHIGAN PUBLIC SERVICE COMMISSION**

On January 31, 2014, the Federal Communications Commission (FCC or Commission) released its Technology Transition Order in GN Docket No. 13-5 et al., to kickstart the process for a diverse set of experiments and data collection initiatives that will allow the FCC and the public to evaluate how customers are affected by the transitions transforming voice communications from a time division multiplexed (TDM) circuit-switched legacy network to an all Interconnection Protocol (IP) network utilizing copper, co-axial cable, as well as wireless and fiber infrastructure. The FCC's stated purpose of the experiments is to speed market-driven technology transitions and innovations while still preserving the core statutory values of public safety, ubiquitous and affordable access, competition, and consumer protections that exist today. (FCC Tech Transition Order, GN 13-5 et al. released January 31, 2014, p 3.)

In its Order, the FCC invited all interested providers to submit detailed proposals for served-based trial experiments in order to examine the impacts of replacing existing customer services with IP-based alternative services. On

February 27, 2014, AT&T submitted a proposal to conduct two wire center trials to all IP services in part and to wireless-based service in the wire centers of Carbon Hill, Alabama and Kings Point, FL. The next day, the FCC released a Public Notice seeking comment on the AT&T proposal. In accordance with the directive of the Public Notice and the pleading cycle established therein, the Michigan Public Service Commission (MPSC) respectfully submits these Initial Comments and will provide further comment or elaborate on its Initial Comments in the Reply Comment phase of this proceeding if necessary.

### **DISCUSSION**

While the MPSC supports the experimental trials concept that the FCC has proposed and commends AT&T for its proposal to initiate experiments from its legacy network to IP and wireless networks, the MPSC has some concerns with the proposal and urges the FCC to proceed with caution in its approval of certain aspects of these trials until further information is received.

As the FCC has noted in its order, the first-round approvals of experiments will serve as a prototype for any succeeding experiments and will speed the approval process for subsequent experiments, making the parameters and decisions made in the initial trial of great importance to the MPSC since it will be looked at as a model to follow as we move forward in this transition.

The MPSC recognizes that the decisions of providers as to where they choose to conduct experiments involve intricate study, but the wire centers that AT&T has proposed to begin its experiments (a rural wire center in Carbon Hill, Alabama and

an suburban wire center in Kings Point (Delray Beach), Florida), are geographically in the same part of the country and lack much of the diversity as seen elsewhere in AT&T's 22-state footprint throughout the country. AT&T has indicated in its proposal that it serves over 4,700 wire centers. The MPSC would expect that AT&T and other providers would bring forth more experimental proposals from other parts of the country in order to further evaluate these trials and how they would be affected by the location of the wire center, as two wire centers would not provide enough data to fully evaluate all of the issues that may arise during the trials. There should be several experimental proposals in diverse geographic areas to be able to assess the results fully, as each state has diverse market conditions and regulatory frameworks. The outcome of the experiments may vary and provide valuable information.

AT&T also indicates in its proposal that it will collect and report a variety of data during the progress of the trial, including customer complaints, network performance, call quality and issues relating to persons with disabilities and will select a nearby wire center as a "control group" and that AT&T will provide data for the control wire centers as well. (AT&T Proposal for Wire Center Trials, February 27, 2014, p 53.) The MPSC has several concerns with this approach. First, it appears that AT&T intends to select the control wire centers which are not yet named. The MPSC would anticipate that the Commission would allow the public the opportunity to comment on any control wire centers that any provider proposes to use for comparison. The MPSC is also concerned that a provider may

potentially allow call quality to slip in these control wire centers so that the replacement product results could be higher, especially in states that have no service quality standards, or as in the case of Alabama, no longer has the ability for the State Commission to address customer complaints for billing, disruptions, or establishing service. (Alabama Act 082 of 2014.) The MPSC is also concerned that there is no third party involved to verify that the data that AT&T reports to the FCC is accurate. It seems to be putting the fox in charge of guarding the hen house. Any data should be reviewed by a neutral third party entity to provide accurate and reliable results. Or as an alternative, the results should be made publicly available so that outside parties can comment on the results. The MPSC fears that the trials proposed here and the results will only be made available to the FCC and AT&T, and that all other interested parties will not have the information available to them. This is evident in the fact that AT&T redacted several pieces of information and declared it confidential in their proposal despite the fact that they have stated that they will proceed in an open and transparent manner. (AT&T Trials Proposal, p 11.) Everyone should be able to review the data and information that comes from this trial since it is being touted as a model to make permanent changes.

The AT&T proposal further does not specifically address what, if any, new or additional equipment will need to be installed and which party will pay the cost of any new equipment or services in these trial areas. AT&T only vaguely addresses pricing, stating that in most areas wireless home phone is cheaper or the same as current TDM. (AT&T Wire Center Trial Operating Plan, p 36, fn 75.) The FCC

needs to ensure that low cost voice options remain available for all consumers including businesses and public entities, and that they are not required to purchase bundled services and/or additional equipment that they do not need or want to purchase.

AT&T's proposal also appears to be generally vague about what technology they will be retiring and what they will build out. In discussing the transition, AT&T states that it will be offering some of its customer's service through "wireline IP-broadband service" or "wireline IP-based services." This seems to indicate that they will not be abandoning the entire wireline copper network, but rather will be utilizing it further to provide enhanced services. If this is the case, then AT&T's transition plan should include utilizing its copper in all of the proposed trial areas since the copper network is already established. Also, while AT&T notes that it would be an economic challenge, using the existing copper network could be the solution to the four percent area of the Carbon Hill wire center where AT&T believes it will have difficulty deploying broadband service.

Although AT&T has indicated it is working to address several issues and developing enhancements to its IP network capabilities that are part of the TDM, including 911 location accuracy, it is not yet ready to implement those enhancements and capabilities. (AT&T Trials Proposal, pp 20-21.) Those issues need to be addressed and resolved before any permanent changes are made to the FCC rules or regulations. AT&T also addresses the issue of battery back-up in its proposal, and discusses what current battery back-up standards are for its current

IP-based products. The products run on commercial power making a battery back-up for the equipment necessary, and AT&T has explained that it will provide information to customers in the trial center areas about the battery power back-up life. The reliability and short lifespan of a battery for back-up service is a concern to the MPSC, as it is nowhere near the standards that are found with the legacy phone system. While AT&T has stated that the capabilities of its wireline and wireless broadband exceed those of POTS, its reliability currently does not. The MPSC believes that any provider that conducts a trial needs to further investigate additional options to provide more reliability of phone service in the event of an outage and will review how this issue is addressed in the trial wire centers.

The MPSC also notes that the AT&T proposal does not specify which AT&T affiliates currently provide the services that AT&T intends to replace with other affiliates (AT&T Trials Proposal, p 1.) The MPSC believes it would be helpful for the FCC to require AT&T to differentiate its affiliate providers in these wire centers for the benefit of both its retail and wholesale customers, as different affiliates and the services that they provide have different regulatory obligations required of them, and it will paint a clearer picture of what obligations could be transferred or eliminated.

The FCC highlighted several items of concern that need to be addressed during the trials. Those items include the issues the states have been confronted with over the years in protecting consumers and ensuring reliable and affordable telecommunications service. Those items are articulated throughout the order and

in particular in Appendix B to the order noted as guidelines. Those items are also of the utmost importance to state regulators to ensure the delivery of reliable telecommunications service to consumers as we move forward in the transition to an all IP environment. The MPSC urges the FCC to ensure that providers address those consumer protections that were highlighted and ensure the trials resolve any issues related to those protections before the FCC grants any permanent changes to the FCC's rules and regulations.

The MPSC appreciates the opportunity to provide input to these crucial proposals and looks forward to further development of comprehensive plans for the technology experiments as they continue to move forward in the future.

Respectfully submitted,

**MICHIGAN PUBLIC SERVICE COMMISSION**



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FCC/13-5 Technology Transitions/Comments