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October 18, 2013

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

Re: In the Matter of Technology Transitions Policy Task Force Regarding Potential Trials, GN Docket No. 13-5; In the Matter of Policies to Respond to the Ongoing Technological Transition of Voice Networks, GN Docket No. 12-353

Dear Ms. Dortch,

On behalf of the undersigned members of The Leadership Conference on Civil and Human Rights ("The Leadership Conference"), we write to offer our views in this proceeding.<sup>1</sup> 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.

The transition from time-division multiplexing (TDM) technology to 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. To achieve these goals, the Commission must play an active role by closely monitoring the process and ensuring the constituencies we represent benefit from the new technologies so they can thrive in this increasingly connected age.

Should the Commission decide to pursue trials, those trials should be transparent and the Commission should use them as an opportunity to collect data to identify any unforeseen issues that must be remedied to ensure that a full transition to an all-IP network is achieved in a manner that protects all consumers and small businesses. Trials cannot change the fundamental precepts of universal service, public safety, network reliability, and consumer protection, which remain as relevant in an IP network as they do in the current system. To that end, we offer the following recommendations to ensure that all consumers, and in

<sup>1</sup> In the Matter of Technology Transitions Policy Task Force Regarding Potential Trials, GN Docket No. 13-5 (rel. May 10, 2013).

particular, underserved communities, such as the people represented by our coalition, will continue to have access to affordable, reliable service, and consumer protections during and after the transition to an all-IP network.

**The Commission must ensure that high quality, affordable, and reliable voice and high-speed broadband services are provided regardless of income, race, or geography.**

We are particularly concerned about a transition to new technologies because many of our communities are not currently benefitting from existing technologies, such as broadband. As the NTIA's *Digital Nation* reports series has documented, there are disturbing disparities in the rates of home broadband adoption when considering race, income, education, and location.<sup>2</sup> While many Americans are benefitting from broadband today, others do not yet utilize these technologies because of the slow adoption of broadband within communities of color, non-English speaking communities, and communities with lower levels of educational attainment and income. Accordingly, the Commission should ensure that any trials include exceptional efforts to understand and assist underserved communities, particularly those communities that lag in broadband adoption.

Data collection from these communities should track the impact of an IP transition on people of color, broadband non-adopters, and non-English speakers. This data will be critical in assessing and meeting the needs of our communities. In fact, trials could be an opportunity to evaluate how the IP transition can aid underserved communities by improving digital literacy, lowering costs, and increasing overall broadband adoption.

**The Commission should ensure that long-established consumer protections are maintained during and after the transition.**

Consumer education and outreach plans should be developed and monitored as part of any trials. Customers should be given adequate notice of impending trials and clearly informed of differences between IP-based services and traditional services, and between wired and wireless services if wireless services are implemented as part of the change. Therefore, outreach must clearly inform communities who speak a variety of languages and come from a variety of cultural backgrounds. This outreach should be culturally sensitive and meet the needs of people with limited English proficiency as well as persons with disabilities. Additionally, customers should be allowed to opt-out of the trials if they do not wish to participate. Thus, these trials are an important opportunity for carriers and governmental entities to collaborate with community organizations to ensure that everyone is aware of the transition in order to make choices that will meet their needs.

Another concern of our communities is the cost of services after the transition. Ensuring the affordability and reliability of voice services, as well as advanced services, for communities of color and those with low or fixed incomes is imperative. The Commission should also ensure that consumers do not lose protections and will have an effective place to seek redress in an all-IP environment.

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<sup>2</sup> NTIA and Economics and Statistics Administration, *Exploring the Digital Nation: America's Emerging Online Experience*, Table 4 (June 2013).



**The Commission's policies should support economic activity, high-speed networks, and quality jobs.**

Upgrading networks has an important impact on our economy, as building and maintaining these networks is a source of good jobs. Should the Commission move forward with these trials, it should collect data during the trials to assess the impact of the technology transition on jobs and workers in the industry, and should ensure that workers are retrained and transitioned to work on the new technologies. As the IP network becomes the fundamental connectivity for all services—not just entertainment or leisure activity—network resiliency remains essential for all economic activity, and particularly important for small businesses. Whether the cause is elevated use after the Boston Marathon bombing or network damage inflicted by Superstorm Sandy, the importance of a network that continues to operate when people need it does not change because of the technology used.

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, Gabe Rottman, ACLU, at 202-675-2325, or Corrine Yu, Leadership Conference Managing Policy Director at 202-466-5670, if you would like to discuss the above issues or any other issues of importance to The Leadership Conference.

Sincerely,

American Civil Liberties Union  
Asian Americans Advancing Justice | AAJC  
Common Cause  
Communications Workers of America  
The Leadership Conference on Civil and Human Rights  
NAACP  
National Consumer Law Center, on behalf of its low-income clients  
National Council of La Raza  
National Hispanic Media Coalition  
National Urban League  
United Church of Christ, OC Inc.