

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
Jurisdictional Separations and Referral to the ) CC Docket No. 80-286  
Federal-State Joint Board )

**REPLY COMMENTS  
OF  
WTA - ADVOCATES FOR RURAL BROADBAND**

WTA – Advocates for Rural Broadband (“WTA”)<sup>1</sup> submits its reply comments in support of the Commission’s proposal to continue to extend the existing freeze of the Part 36 category relationships and jurisdictional cost allocation factors applicable to incumbent local exchange carriers (“ILECs”). See *Jurisdictional Separations and Referral to the Federal-State Joint Board*, Further Notice of Proposed Rulemaking, CC Docket No. 80-286, FCC 17-22, released March 20, 2017 (“FNPRM”).

WTA agrees with the National Exchange Carrier Association (“NECA”) and NTCA – The Rural Broadband Association (“NTCA”) that the current Part 36 separations freeze should be extended for a period that gives rural ILECs (“RLECs”) a reasonable and sufficient time to absorb and implement the ultimate Part 36 separations changes recommended by the Federal-State Joint Board on Separations (“Joint Board”), and reviewed, revised and adopted by the Commission. WTA believes that the freeze should be extended to a date at least six (6) months

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<sup>1</sup> WTA is a national trade association representing more than 325 rural telecommunications providers offering voice, broadband and video-related services in rural America. WTA members are generally small local exchange carriers that serve some of the most remote rural, sparsely populated and hard-to-serve communities in the country and are providers of last resort to those communities.

after the contemplated revised Part 36 separations rules are adopted by the Commission and become final. This period may or may not be longer than the 18-month freeze extension proposed in the *FNPRM*, depending upon the durations of the Joint Board recommendation process and Commission approval process.

As recognized by the Commission in paragraph 8 of the *FNPRM* and by the National Association of State Utility Consumer Advocates (“NASUCA”) on page 2 of its comments, the existing separations rules have become outdated during the existing 16-year freeze due to technology and investment changes, as well as modifications in federal and state regulatory approaches. Reinstatement of these long-unused rules, many of which are now outmoded, not only would require substantial training and investment by RLECs, but also could cause significant disruptions in their regulated rates, cost recovery and other operating conditions. Rather than dealing with further extension proceedings, WTA believes that the most efficient and effective approach would be for the Commission to recognize that the existing separations rules cannot be reinstated without major disruptions to today’s telecommunications industry, and to extend the existing freeze to a date at least six (6) months after the contemplated revised Part 36 separations rules are adopted and become final. While WTA has no control over Joint Board and Commission processes, it does not expect this further extension to “continue indefinitely” as claimed to be feared by NASUCA.

Finally, WTA notes that the comments of the “Irregulators” are focused upon issues relating to Verizon. These matters have no relevance to the need of WTA members and other small RLECs for the further extension of the existing Part 36 separations freeze for a reasonable period ending at least six (6) months after the contemplated revised separations rules become final.

Respectfully submitted,  
**WTA – Advocates for Rural Broadband**

By: /s/ Derrick B. Owens

Derrick B. Owens  
Vice President of Government Affairs  
400 7<sup>th</sup> Street NW, Ste. 406  
Washington, DC 20004  
(202) 548-0202

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By: /s/ Gerard J. Duffy

Gerard J. Duffy, Regulatory Counsel  
Blooston, Mordkofsky, Dickens, Duffy &  
Prendergast, LLP  
2120 L Street NW, Suite 300  
Washington, DC 20037  
(202) 659-0830