

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

In the Matter of)	
)	
Advancing IP Interconnection)	WC Docket No. 25-304
)	
Accelerating Network Modernization)	WC Docket No. 25-208
)	
Call Authentication Trust Anchor)	WC Docket No. 17-97

Reply Comments of WTA – Advocates for Rural Broadband

WTA – Advocates for Rural Broadband (“WTA”) herein responds to some of the positions of other commenters in the above-captioned Notice of Proposed Rulemaking proceeding (“*NPRM*”). As WTA explained in its Initial Comments, WTA and its members share the Commission’s goal of accelerating the modernization of the network by eliminating unnecessary impediments to the ubiquitous deployment of all-IP networks. But WTA is concerned that unless the interconnection and cost recovery issues – along with several other issues, including NG911, reliability, cybersecurity and Robocalling mitigation – are addressed in a thoughtful and holistic manner, then consumers living in rural areas would likely be saddled with second-class services at outrageously high prices. As explained below, such a result would disserve the public interest and be inconsistent with Congress’ directions in Section 254(b)(3) of the Communications Act.

The record does reflect general consensus on supporting the Commission’s enunciated goal of replacing the remaining TDM networks with all-IP networks.¹ The evolution to all-IP

¹ E.g., Free State Foundation Comments at pp. 1-3; Voice on the Net Coalition Comments at pp. 2-3; Accessibility Organizations Comments at pp. 2, 4-5; Somos Comments at pp. 2-3; Telecommunications Industry Association Comments at p. 1; CarrierX Comments at

technologies can increase the efficiency of the networks and enhance the reliability of robocall mitigation measures such as STIR/SHAKEN, as well as ensure that the numerous benefits of next generation 911 are achieved. Indeed, a number of WTA's members have largely replaced their old copper loops and upgraded their networks to fiber and IP technologies.

But the details concerning the various determinations and steps that the Commission and the industry as a whole must complete as part of that transition are also essential. This proceeding addresses one critical element of the transformation to all IP-technology – IP interconnection. But there are several other issues that are equally important, including: (1) NG911 implementation, which is dependent on end users being able to send not only voice, but video and text messages for help, as well as potentially serving as a source of default interconnection locations; (2) intercarrier compensation, which could affect rural rate affordability; (3) robocalling mitigation, which affects rural call completions (as well as the need to implement non-IP solutions) ; (4) USF subsidies and contributions, which could significantly affect rural rate affordability and comparability, consistent with Section 254(b)(3) of the Communications Act; (5) cybersecurity, including added risks from DDoS attacks; (6) network and call reliability, which affects the comparability of rural and urban services; (7) the role of the states (along with State/Federal allocations, and the role of LATA boundaries), which could also affect customers' rates, particularly with a USF contribution factor above 35%; and (7) CALEA compliance, because of the need to upgrade implementation mechanisms. Some of these issues are being addressed in separate proceedings.² But all of

p. 1; Digital Progress Institute Comments at pp. 1-2; The International Center for Law & Economics Comments at p. 2; USTelecom Comments at p. 1; NCTA Comments at pp. 1-2; INCOMPASS Comments at p. 4; TIA Comments at pp. 1-2.

² The NG911 issues are being considered in PS Docket Nos. 21-479 and 13-75; Intercarrier Compensation issues are being considered in WC Docket Nos. 25-311 and 25-208; Robocalling

these issues need to be addressed holistically and harmoniously in order for the transformation to occur on a timely basis while also minimizing potential harmful impacts.

With regard to IP interconnection, the 1996 Telecommunications Act specified that the incumbent local exchange carriers (“ILECs”) have an obligation to interconnect (47 U.S.C. §251(c)(2)), and to negotiate the terms of interconnection in good faith (47 U.S.C. §251(c)(1)). In its Initial Comments, WTA suggested that the Commission strengthen the guardrails on these good faith negotiations to address the disparate bargaining leverage that some of the large ILECs possess. But WTA also agrees with the comments of USTelecom – The Broadband Association (“USTelecom”) -- that relying solely on bi-lateral negotiations between all of the potential interconnecting carriers would consume substantial time and resources, which would significantly delay the transition.³ Thus, some form of a default arrangement or “agreement-less” mechanism is also another critical issue that must be addressed as part of this rulemaking proceeding.

While there is agreement on the goal of accelerating and achieving a transformation to all-IP networks, accomplishing that task in a manner that serves the public interest also requires resolving a number of different but interrelated issues. And, the “devil is in the details.”⁴ For instance, while several commenters made the point that there is a need to develop a default or agreement-less interconnection arrangement to operate where the parties do not reach an

Mitigation Issues are being in CG Docket No. 17-97. Chairman Carr’s statement following the Supreme Court decision upholding the Constitutionality of the Universal Service Fund suggests the Commission intends to initiate a proceeding to address USF reform.

<https://www.fcc.gov/document/carrs-statement-supreme-courts-universal-service-fund-decision>.

³ USTelecom Comments at pp. 15-16. *See also*, Verizon Comments at pp. 1-2; INCOMPASS Comments at pp. 29-30; NCTA Comments at pp. 6-7.

⁴ <https://grammarist.com/words/devil-is-in-the-details-vs-god-is-in-the-detail/>.

agreement via good faith negotiations, they offered somewhat different suggestions for what that “fall back” should entail.

NTCA–The Rural Broadband Association (“NTCA”) suggests a presumption that all parties will offer the ability to interconnect physically in IP at a minimum of one default location in each state where it seeks to originate or terminate calls.⁵ Importantly, NTCA also suggests, starting on page 7 of their comments, a “rural transport rule” in order to address the universal service concerns of Section 254(b)(3). Under this approach, interconnection would occur within a rural carrier’s service area, or if the requesting carrier prefers a different location, it would bear the transport costs from the rural carrier’s network edge to the desired point of interconnection.⁶ WTA supports adoption of such a “rural transport rule,” because many of our members are already being asked to interconnect with larger carriers at a dozen or fewer locations nationwide, and the resulting transport costs would be prohibitive.

USTelecom suggests an agreement-less model under which carriers would offer a public Internet interconnection option by making available at least one IP address on the public Internet at which it will receive IP voice traffic from other voice service providers on a bill-and-keep basis.⁷ But for larger carriers (more than 100,000 active phone numbers), in addition to the public Internet, those carriers would also have to designate at least one interconnection

⁵ NTCA Comments at pp. 28-29. NTCA offers as a suggestion the Internet Exchange Points (“IXPs”) for performance testing purposes. *Ibid.* at p. 29. But because every state does not have a designated performance measurement IXP, WTA suggests the Commission explore utilizing the NG911 interconnection points being designated in every state, which may allow efficiencies, as well as providing the potential for optional redundancy since there will be two such interconnection points in each state.

⁶ NTCA Comments at p. 29.

⁷ USTelecom Comments at p. 18. *See also*, DPI Comments at pp. 6-7.

point of their choosing at which they will receive traffic destined to them from other voice service providers that meet the recipient provider's minimum traffic volume threshold. The terms for these larger carrier interconnections would be subject to good faith negotiations between the parties.

Lumen proposes a minimalist baseline that would require every voice provider to establish two interconnection points to receive traffic bound for their end users—one that relies on public Internet connectivity and a second that does not. Under Lumen's proposal, the public Internet option would be accessible without need for individual contracts to be negotiated with every provider, while the private interconnection point obligation, which would be subject to good faith negotiations, could be limited to (as yet undefined) larger carriers, if desired, to simplify obligations for smaller carriers.⁸ Under the Lumen proposal, interconnection and traffic exchange at either the public Internet or private interconnection point would also be subject to a bill-and-keep default compensation requirement.

NCTA – the Internet & Television Association (“NCTA”) suggests that the Commission establish a deadline for every carrier to offer IP interconnection, at which point a carrier could meet its interconnection obligations through one of three interconnection options: negotiated direct interconnection agreements; or negotiated indirect interconnection agreements using a third-party intermediary; or a default of over-the-Internet interconnection (which NCTA asserts is widely available and accessible today for providers of all sizes across the country).⁹ NCTA did not suggest using bill-and-keep as part of its proposals.

Assessing the reasonableness of these varying proposals for default or agreement-less

⁸ Lumen Comments at pp. 28-29.

⁹ NCTA Comments at pp. 6-7.

interconnection cannot be determined in a vacuum, because they will depend on other determinations, developments and details. For example, WTA has concerns about the potential adverse effects on security and reliability of simply relying on “best efforts” public Internet service as suggested in some of the comments. WTA likewise has concerns about moving to bill and keep without addressing how that revenue shortfall can be made up, because many states have limits on local service rate increases, and in any event significant increases to rural local service rates would be inconsistent with Section 254(b)(3) of the Communications Act.¹⁰ WTA will address these latter concerns in greater detail in the Intercarrier Compensation proceeding that was recently initiated by the Commission.¹¹

As mentioned above, the proposals to utilize the public Internet (with its general “best efforts” level of service) raises questions about the reliability/quality of the service,¹² as well as causing concern about cybersecurity (because of the risk of DDoS attacks).¹³ There certainly

¹⁰ Similar concerns were raised in the USTelecom Comments at pp. 21-22 (recognizes that bill and keep could have an adverse effect on small telcos and suggests some support may be necessary).

¹¹ News Release, “FCC Advances Transition to All-IP by Exploring Updates to Intercarrier Compensation Regime,” <https://www.fcc.gov/document/fcc-explores-updates-intercarrier-compensation-regime>.

¹² *See, e.g.*, T-Mobile Comments at p. 6 (“Based on T-Mobile’s operational experience, best-efforts Internet routing is not a viable substitute for engineered connections. Public Internet paths cannot ensure the latency, jitter, packet-loss, or security performance required for carrier-grade voice services, particularly for NG911 and STIR/SHAKEN.”); Home Comments at p. 29 (“If great care is not taken, the use of public internet to terminate voice calls without ensuring equivalent quality standards would leave most of rural America as second-class citizens with only ‘best available service’ over the internet.”).

¹³ *See, e.g.*, The Industry Council for Emergency Response Technologies Comments at pp. 5-6 (“Serious consequences of [the use of the Public Internet] could include: (1) decreased reliability that falls short of public safety expectations; (2) greater susceptibility to congestion and distributed denial of service attacks (“DDoS”); and 3) heightened cybersecurity concerns overall.”).

may be solutions to some of these risks, such as implementing SIP network options,¹⁴ use of IP over direct ethernet interconnections, or utilizing a hosted Internet connection model similar to the current tandem model. But there could be cost or capacity effects associated with these solutions. And creating additional unfunded mandates such as these -- and others, such as CALEA compliance upgrades -- exacerbates the problem of driving up rates for rural customers, contrary to the Section 254(b)(3) principle. This further reinforces the need for the Commission to address the issue of rural rate affordability as a critical part of the transition to all-IP networks.

Finally, WTA wants to address a couple of specific proposals in the Initial Comments. INCOMPAS, the Competitive Carrier Association and The Fiber Coalition oppose the Commission's proposal to forbear from requiring ILECs to provide collocation.¹⁵ But the requirement for ILECs to provide collocation -- at Total Element Long Run Incremental Costs (TELRIC) -- is a vestige of the Commission's efforts in the implementation of the 1996 Telecommunications Act to "jump start" competition. Whatever merits may have existed with regard to such government efforts to spur competition 30 years ago¹⁶ have long since

¹⁴ See, e.g., SIP Interconnection Working Group Report, filed in WC Docket No. 17-97 on November 16, 2022, at pp. 3-5.

¹⁵ INCOMPAS Comments at pp. 5, 21, 23-24, 27; Competitive Carrier Association Comments at pp. 12-13; The Fiber Coalition Comments at pp. 3-9.

¹⁶ The merits of TELRIC pricing were criticized not long after it was adopted. See, e.g., Thomas M. Jorde, J. Gregory Sidak & David J. Teece, *Innovation, Investment, and Unbundling*, 17 YALE J. ON REG. 1, 19 (2000), available at <https://openyls.law.yale.edu/server/api/core/bitstreams/445e453f-bb02-472a-ad5f-2a97aa6d2c93/content> (economic research has explained that forcing an ILEC to share its network with a competitor at total long-run incremental cost (TELRIC) will deter it from investing in its network).

disappeared, given the disappearance of monopoly power by the ILECs.¹⁷ Parties remain free to negotiate collocation space as part of the good faith negotiation obligations of Section 201, but the *NPRM*'s proposed forbearance of the unique ILEC collocation obligation should be adopted.

Gregory L. Rosston and Scott Wallsten filed comments urging the Commission to adopt an incentive auction – modeled after the Commission's Broadband Incentive Auction – as a means of replacing the Commission's current cost-based or model-based Universal Service Fund (“USF”) support mechanisms. WTA strongly opposes this idea and believes this proposal would be best addressed, if at all, in the Commission's expected upcoming USF reform proceeding. However, since they raised it here, WTA will briefly point out a few of the proposal's major flaws. In setting forth the principles to guide the Commission's design of the USF, Congress in Section 254(b)(3) of the Communications Act specified:

Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

The Rosston/Wallsten proposal is highly unlikely to achieve that goal. Rosston/Wallsten expect low-Earth orbit satellite service to provide most of the “auctioned” rural service, but because the spectrum/capacity within the LEO satellite's footprint is shared amongst all the customers, as well as being shared between LEO satellite systems, it is far from clear that compared to urban customers, these rural customers would be receiving comparable advanced

¹⁷ As the *NPRM* noted, the ILECs' share of the local switched services market has decreased from 99.7% to 3.1%. *NPRM* at ¶ 9.

telecommunications and information services at comparable rates. In addition, under their plan the support would be time limited, and it is not clear that LEO satellite service would continue over the long term.¹⁸ Finally, WTA observes that the Commission’s previous use of an auction mechanism to award subsidies has already resulted in significant defaults.¹⁹ As WTA made clear in its Comments in this proceeding, universal service policies will play a critical role in the transformation to all-IP networks, but the Rosston/Walsten proposal will not be the solution.

Respectfully submitted,

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¹⁸ The satellite constellations must be replaced every seven years or so, and the financial success of these systems will depend on profitable operations outside the United States, with much of the system’s capacity focused on the 70% of the Earth’s surface covered by oceans, where there are few customers (ships, aircraft and offshore oil platforms).

¹⁹ According to a study performed by the Benton Institute for Broadband and Society (“Benton Institute”), over 36% of the locations and slightly under 36% of the revenues awarded in the RDOF auction were defaulted as of January, 2025 (<https://www.benton.org/headlines/rdofdefaults>). And subsequent to that Benton Institute analysis, the Commission announced additional RDOF defaults: <https://docs.fcc.gov/public/attachments/DA-25-45A1.pdf>; <https://docs.fcc.gov/public/attachments/DA-25-484A1.pdf>; <https://docs.fcc.gov/public/attachments/DA-25-670A1.pdf>; <https://docs.fcc.gov/public/attachments/DA-26-126A1.pdf>.