

STATEMENT
COMMISSIONER ROBERT M. McDOWELL

Re: Telecommunications Services Inside Wiring Customer Premises Equipment; Implementation of the Cable Television Consumer Protection and Competition Act of 1992: Cable Home Wiring; and Clarification of the Commission's Rules and Policies Regarding Unbundled Access to Incumbent Local Exchange Carriers' Inside Wire Subloop, CS Docket No. 95-184, MM Docket No. 92-260, WC Docket No. 01-338 -- Report and Order and Declaratory Ruling

To help create an environment where investment, innovation and competition can flourish, it is imperative that government treat like services alike, preferably with a light regulatory touch. Today's order is a pro-competitive, deregulatory decision and is our latest effort to achieve regulatory parity between incumbent telephone companies, incumbent cable companies and new entrants into the voice, video and data markets. Today's action takes necessary steps to assure that new entrants seeking to compete with incumbent cable and telecommunications providers in multiple dwelling units (MDUs) and multi-unit premises have appropriate access to inside wiring.

In this Order, we conclude that wiring installed by incumbent video providers behind sheetrock is physically inaccessible under our rules for determining the demarcation point between home wiring and home run wiring. Our ruling will help spur competition among video distributors in MDUs by making existing cable wiring available to alternative providers at a point that is not physically difficult and costly to reach.

Similarly, by granting the Cox Oklahoma Telcom petition for declaratory ruling, we make certain that competitors have the right of direct access to incumbent local exchange carriers' unbundled inside wire subloops at the terminal block to a multi-unit premise. At the same time, all parties bear a responsibility to make sure their actions do not harm their competitors' facilities in multi-unit premises. Such anti-competitive and tortuous behavior will not be tolerated.

As I have said before, as regulators we need to make sure that competition for all services, and across all platforms does not stop, literally at the doorstep of multi-unit buildings across the country. I thank both the Media and Wireline Competition Bureaus for their work and I support this Order.