

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

CONSUMER ADVISORY COMMITTEE MEETING

Federal Communications Commission
445 12th Street, S.W., Room TW-C305
Washington, D.C. 20554

Friday, February 12, 2010

A T T E N D A N C E

- 1
2 Alaska State Department of Law, Lew Craig
3 Alliance for Community Media, Gloria Tristani
4 American Council of the Blind, Eric Bridges
5 Appalachian Regional Commission, Mark Defalco
6 Benton Foundation, Charles Benton
7 Cablevision Systems Corporation, Dodie P. Tschirch
8 Call For Action, Eduard Bartholme
9 Communication Service for the Deaf, Karen Peltz Strauss
10 Consumer Action, Ken McEldowney
11 Consumer Federation of America, Irene E. Leech
12 Hawaii State Public Utilities Commission, John Cole
13 Hearing Loss Association of America, Lise Hamlin
14 National Association of Broadcasters, Ann Bobeck
15 National Association of State Utility Consumer Advocates,
16 Brenda Pennigton
17 National Consumers League, Debra Berlyn
18 Parents Television Council, Dan Isett
19 Southern Growth Policies Board, Scott Doron
20 Verizon Communications, Inc., Mary Crespy
21 Federal Communications Commission, Scott Marshall
22 Federal Communications Commission, Joel Gurin

P R O C E E D I N G S

[3:10 p.m.]

CHAIRPERSON BERLYN: Thank you. We have a wonderful attendance this afternoon. And for anyone in this area, we know that it's a great effort to do any normal work today. So, thank you all for joining this call.

We have some work that needs to get done today, as you all know. We're going to talk about the Truth in Billing recommendation that we have from the Consumer Protection Working Group.

Before I turn things over to Brenda, I want to introduce Joel Gurin, who is actually sitting at the FCC and is going to talk to us for just a moment. I am so pleased that he is the new chief of the Consumer and Governmental Affairs Bureau. Joel will be joining us at our next real in-person meeting in March, on March 19th, and that I hope you all will be attending, but he wanted to have an opportunity to briefly address us today.

As you know -- I'm sure you've all read about Joel -- he has a very diverse background combining his nonprofit leadership and his expertise in consumer issues, and I know that you probably have read that, in addition to many other

1 positions that he has held, he, at one time, was executive
2 vice president of Consumers Union.

3 And so, we're very pleased that he is in this
4 position and has taken a great interest in the work that we
5 are doing.

6 So, Joel, thank you so much for joining us today.

7 MR. GURIN: Well, thank you very much. And let me
8 say a few words.

9 I do come here with a strong consumer background
10 at a time when the entire agency is becoming more and more
11 consumer focused. Just as one sign of that -- and I'm not
12 sure if -- some of you may know this, but -- just a few
13 weeks ago, the chairman has announced a consumer task force
14 within the FCC which I will be chairing and which includes
15 the -- all of our bureau chiefs and our managing director,
16 our general counsel, and the head of the Office of
17 Engineering and Technology, Julie Knapp.

18 So, that's a group that we're just teeing up for
19 its first meeting next week, but that's one of the things
20 that we're going to be doing internally to look at how we
21 can really imbue a consumer perspective into everything we
22 do here at the agency, from looking at -- figuring out which

1 issues we need to look at, how we address them, how we work
2 on behalf of consumers. And a large part of that, in every
3 area, is going to be figuring out what kinds of transparency
4 we need from industry so that we can be sure that consumers
5 have the information they need to make decisions that are
6 their -- in their interests and that help maintain a
7 competitive marketplace.

8 So, in that spirit, the Truth in Billing notice of
9 inquiry, that really goes well beyond truth in billing and
10 looks at disclosure and information in all kinds of areas,
11 we see this as a very, very central benchmark effort for us.

12 It's going to inform a lot of what the Consumer and
13 Governmental Affairs Bureau does over the next year, it'll
14 inform a lot of what all of our bureaus do, I think, over
15 the next year, as we look at issues from early termination
16 fees, which, you may know, we've just been working on, to
17 other aspects of fees, billing, service quality, not only
18 for telephony, but for broadband and all kinds of
19 communication services.

20 I very much appreciate the fact that the CAC has
21 begun by taking a very thoughtful and thorough look at what
22 we're doing in this area, really very much welcome your

1 advice and your comments. And I would also like to raise a
2 possibility, that Debbie Berlyn and I have talked about a
3 bit, which is, that I would like to find a way that we can
4 work even more closely with the CAC in the years -- in the
5 year ahead -- and probably the years, multiple, ahead, but,
6 definitely in the coming year -- and we would especially
7 like your input focused on what are the best ways to do
8 consumer information disclosure, that are really going to be
9 effective.

10 When we think about this whole question of
11 industry transparency and consumer information, it breaks
12 into three parts:

13 The first is, we have to figure out what are the
14 factors that people really need to know about. So, if it's
15 broadband, for example, there will be issues relating to
16 fees, there will be issues relating to speed, quality, and
17 so on.

18 A second set of questions relates to how do you
19 measure those factors. So, if we're looking at broadband
20 speed, how do we want to have that reported, what do we
21 think are accurate measurements, how do we get that
22 information?

1 And then the third piece is, once you know what
2 you're measuring and you know how to measure it, how do you
3 communicate that information to consumers in a way that's
4 really going to be useful? Should it be on a label, should
5 it be online, should there be -- are there models of really
6 great interactive programs that people can use to make these
7 decisions, and so forth?

8 Where I think the CAC can be very, very helpful,
9 especially, is the beginning and the end of that process.
10 The first part, which is, really, helping advise us on what
11 are the areas that consumers need to know about to make
12 these kinds of choices, and the last part being how to --
13 what are the best ways to get that information out to
14 people.

15 So, we -- as we move forward -- and we can talk
16 about this, certainly, at the March meeting, which I'll be
17 at, and maybe even before -- I'd really like to think about
18 how the CAC, in addition to this great work that you've done
19 initially on Truth in Billing, how you can continue to
20 advise us on how we really make this a reality, and
21 particularly how we dramatically increase the kind of
22 information that's available to consumers, and the ease with

1 which they can use it.

2 So, thank you very much, and I'm looking forward
3 to the session. Thanks.

4 CHAIRPERSON BERLYN: Thank you very much, Joel.
5 We greatly appreciate your giving us that important
6 overview, and we do look forward to meeting this new
7 direction and providing that kind of assistance. I think
8 it's great. It's very refreshing to know that you're
9 looking forward to our providing direct input. And we look
10 forward to doing that.

11 MR. GURIN: Terrific. Thank you.

12 MR. McELDOWNEY: Debra, is there time for, like,
13 one question or two?

14 CHAIRPERSON BERLYN: Well, I'm sorry, who -- who
15 -- could you please say who you are.

16 MR. McELDOWNEY: I'm sorry, I didn't -- unless
17 there was a chance the question, I wasn't going to bother.
18 It's Ken McEldowney.

19 CHAIRPERSON BERLYN: Hi, Ken. It's about how --
20 you're sitting there with Joel, so let me know what Joel's
21 time is like. Do we have time for a couple of questions?

22 MR. GURIN: Do we? Yeah, oh yeah, I think so.

1 Sure.

2 MR. McELDOWNNEY: Okay, good.

3 CHAIRPERSON BERLYN: Yeah, let's take just a
4 couple of minutes, because I know that we want to make sure
5 we have adequate time for the --

6 MR. McELDOWNNEY: Right.

7 CHAIRPERSON BERLYN: -- Truth in Billing
8 recommendations. So, go ahead, Ken.

9 MR. McELDOWNNEY: Yeah, I guess -- Joel, I guess
10 what I was going to say was, I think the -- what you talked
11 about is a very -- very welcome news. And I think there are
12 two issues. I think one is, sort of, disclosure plus
13 education. And I think the disclosure stuff, it ends up
14 being what the Commission should be requiring the carriers
15 to provide the consumers, both pre- and post-purchase.

16 But, then also I think we also need to talk just
17 in terms of the role that the Commission should be playing
18 in terms of educational efforts on -- you know, just the
19 Commission in itself and, sort of, how best to do that. And
20 I think that the CAC can help you in both of those areas.

21 MR. GURIN: Yeah, terrific. And, Ken, good to
22 talk to talk to you again.

1 Yeah, I think that's exactly right. And one of
2 the things that we're going to need to sort out -- and
3 again, we would welcome your advice on this -- is, To what
4 degree do we want to move in a direction where the service
5 providers themselves are giving people this information in
6 the same way that food manufacturers now put a nutrition
7 label on everything that they do? Should there -- you know,
8 should there be a telecommunications label on issues of
9 speed, coverage, or whatever? But -- and how much we do
10 ourselves.

11 I think, regardless of where this goes, the
12 Commission will definitely be moving into an educational
13 mode more than we've done in the past. We are completely
14 restructuring our Web site. If you go to FCC.gov now, you
15 can see a -- an area called "Reboot," where we're welcoming
16 comments from the public about how we can be more effective
17 in that kind of communication.

18 So, I think you're making a very good distinction
19 there between disclosure and education; and on the
20 educational piece, we'll certainly be playing a big role.

21 MR. McELDOWNEY: Excellent.

22 CHAIRPERSON BERLYN: Yes, great, thanks, Ken.

1 One other quick question, maybe? Anyone?

2 [No response.]

3 Okay, well, Joel, thank you so much, and we really
4 look forward to seeing you on March 19th.

5 MR. GURIN: Yes, thanks. I'm looking forward to
6 it, too.

7 CHAIRPERSON BERLYN: Great.

8 MR. MARSHALL: Debbie, it's Scott.

9 CHAIRPERSON BERLYN: Yes.

10 MR. MARSHALL: I believe someone else has joined
11 us, and I wonder if that person could identify himself or
12 herself, please?

13 MR. BARTHOLME: Hi, Scott, it's Ed Bartholme from
14 Call For Action.

15 MR. MARSHALL: Ah.

16 MR. BARTHOLME: Sorry I'm late.

17 MR. MARSHALL: Hello, Ed.

18 CHAIRPERSON BERLYN: Hi, Ed.

19 MR. MARSHALL: Putting --

20 MR. BARTHOLME: Hey, Debbie.

21 MR. MARSHALL: -- Shirley Rooker's hat on today,
22 huh?

1 MR. BARTHOLME: Yes.

2 MR. MARSHALL: Okay.

3 CHAIRPERSON BERLYN: Hi.

4 MR. MARSHALL: Anyone else?

5 [No response.]

6 MR. MARSHALL: Okay, thank you very much.

7 And by the way, Debbie, our deputy bureau chief is
8 with us today here, as well, Mark Stone. So --

9 CHAIRPERSON BERLYN: Oh, great.

10 MR. MARSHALL: -- with all this brass, I'd better
11 behave.

12 [Laughter.]

13 CHAIRPERSON BERLYN: Great, thanks. Welcome,
14 Mark. And we look forward to meeting you on the 19th at
15 some point, as well.

16 MR. STONE: Likewise.

17 CHAIRPERSON BERLYN: Okay, Brenda Pennigton --

18 MS. PENNIGTON: Yes.

19 CHAIRPERSON BERLYN: -- our cochair of the
20 Consumer Protection Working Group. Thank you so much for
21 all the hard work that you and your working group have done
22 to put together the Truth in Billing recommendation. I'm

1 going to turn things over to you now to tell us about this.

2 MS. PENNIGTON: Okay. At our last meeting, I
3 presented a document which the -- I asked the subcommittee
4 to look at, and that document contained what would be the
5 subcommittee's recommendations with respect to the Truth in
6 Billing NOI that was released by the FCC.

7 The -- although the Commission -- and this is
8 stated in the memo that is attached to the rules -- and I'm
9 just going to paraphrase in saying, that even though the
10 Commission has previously adopted Truth in Billing rules in
11 the wireless and wireline industries in the markets, they
12 want to improve on those rules, as well as expand and
13 strengthen them with respect to broadband protection.

14 The group, as you know, consists of more than just
15 consumer advocates; we also have industry representatives,
16 as well. And so, after everyone took a look at it, what we
17 decided to do was to break it down into categories. We had
18 several different recommendations that could be collapsed
19 into three categories. And those categories, as you'll see,
20 beginning on page 1, are that we would like -- we recommend
21 that providers disclose 14 items at the point of sale, and
22 those are listed from pages 1 through 2 on the February 1st

1 memo that was distributed to the subcommittee.

2 Debbie, do you want me to read through them? I
3 wasn't going to take the time, since we are kind of limited
4 on time and we wanted to get through to the discussion.

5 CHAIRPERSON BERLYN: Yeah, no. I hope that
6 everybody does have the --

7 MS. PENNINGTON: Yeah, yeah.

8 CHAIRPERSON BERLYN: -- documents in front of
9 them, because Scott sent it out early this morning.

10 MS. PENNINGTON: Right.

11 CHAIRPERSON BERLYN: So, I don't -- in the
12 interest of time, I don't think you need to read through all
13 of that.

14 MS. PENNINGTON: Okay, great.

15 And then the second item -- category was the Truth
16 in Billing policies that we would like the FCC to undertake.
17 And there are 13 items there.

18 And the third category were the 13 -- were Truth
19 in Billing policies that we would like the industry -- two
20 items that we would like the industry to voluntarily come up
21 with and move to action on these items. And this
22 recommendation was put forth by a member of the industry, so

1 we're hoping that we can get some support on all of these
2 items.

3 Hello?

4 VOICE: Hello?

5 CHAIRPERSON BERLYN: Okay, thanks. Did someone
6 else just join us?

7 VOICE: That sounded like somebody was leaving the
8 call.

9 VOICE: Leaving, I think.

10 VOICE: Oh, okay.

11 CHAIRPERSON BERLYN: Yes, it was a leaving beep.
12 Okay.

13 VOICE: Yeah.

14 CHAIRPERSON BERLYN: Okay, Brenda, thank you so
15 much. And --

16 MS. PENNIGTON: Debbie, I need -- I'm sorry.

17 CHAIRPERSON BERLYN: Is there anything else you
18 wanted to say process-wise, or substance? Otherwise, we can
19 open it up --

20 MS. PENNIGTON: Well -- yeah, to discussion --
21 well, as everybody knows, these are very important rules. I
22 mean, we -- in addition to that, you know, being a consumer

1 advocate in D.C., I see and hear stories of consumers and
2 what their issues still are, and we really tried to tailor
3 these rules to meet, not just the needs of consumers, but --
4 primarily the needs of consumers -- but also to do it in a
5 way that would be compatible with policies that the industry
6 has already put forth, but recognizing that, as we do move
7 into new technologies, you know, as broadband becomes more
8 prolific and expands more, and there are more technologies
9 that come even after that, that consumers really do have
10 some protections in the purchase and billing practices that
11 the industry employs.

12 MR. McELDOWNNEY: Debbie --

13 MS. PENNIGTON: And we can open it up now for
14 discussion.

15 MR. MARSHALL: Debbie, do you want to inter -- is
16 a motion appropriate?

17 MR. MARSHALL: Yeah, exactly. You need a motion,
18 I think, to adopt --

19 CHAIRPERSON BERLYN: Okay. Yes, yeah. We'll take
20 --

21 MR. MARSHALL: -- before you discuss --

22 MR. MARSHALL: I move.

1 CHAIRPERSON BERLYN: Yeah, we -- I have -- Scott,
2 and I have a question -- it's a procedural question for you,
3 Scott. I have, on my agenda, that it -- that now we take
4 public comments. Is that right, or do we --

5 MR. MARSHALL: That's right. Thank you for
6 looking at the agenda.

7 [Laughter.]

8 MR. MARSHALL: Yes, that was -- that was so that
9 if we did have anybody here from the public -- and I think
10 we might have one person that might want to make a comment
11 on this before you all --

12 CHAIRPERSON BERLYN: Is that before we move the --

13 MR. MARSHALL: -- engaged in your discussion.

14 CHAIRPERSON BERLYN: Okay, but we should move the
15 recommendation first?

16 MR. MARSHALL: Sure you can. Go ahead.

17 CHAIRPERSON BERLYN: Okay, yeah, if --

18 MR. McELDOWNEY: I move.

19 MR. MARSHALL: Somebody can.

20 CHAIRPERSON BERLYN: So, someone moved it, I think
21 I heard.

22 MR. McELDOWNEY: Yeah, it's Ken. I'm sorry,

1 Debra.

2 CHAIRPERSON BERLYN: Do I hear a second?

3 MR. DEFALCO: Yeah, Mark Defalco seconds.

4 CHAIRPERSON BERLYN: Okay, so was it Ken

5 McEldowney who moved it?

6 MR. McELDOWNEY: You got it.

7 CHAIRPERSON BERLYN: Good, oh I'm getting good at
8 the voices now.

9 MR. MARSHALL: Ken moved and Mark seconded,
10 correct?

11 MR. McELDOWNEY: Right, correct.

12 MR. MARSHALL: Thank you, gentlemen.

13 CHAIRPERSON BERLYN: Excellent, thank you.

14 Okay, now before we get to committee discussion,
15 are there any -- is there anyone from the public who wants
16 to offer any comment?

17 [No response.]

18 CHAIRPERSON BERLYN: Okay, not hearing any, now I
19 will open it up for discussion and amendments, if any.

20 [No response.]

21 MR. McELDOWNEY: This may be a quick call.

22 CHAIRPERSON BERLYN: Okay. Well.

1 [Laughter.]

2 CHAIRPERSON BERLYN: Okay, it's really -- it's
3 really hard when we're on the phone, but I'm not hearing --

4 MS. PENNIGTON: It is, it really is.

5 CHAIRPERSON BERLYN: I'm not hearing any voices,
6 which one would equate with no discussion, but I'm going to
7 -- I'm going to ask again.

8 MS. CRESPIY: This is Mary Crespy.

9 CHAIRPERSON BERLYN: Yes, Mary?

10 MS. CRESPIY: There was another friendly amendment
11 attached to the email that Scott sent out this morning.

12 CHAIRPERSON BERLYN: Yes.

13 MS. CRESPIY: Is that something we should be
14 discussing, or not?

15 CHAIRPERSON BERLYN: Brenda, do you want to
16 address that, or --

17 MS. PENNIGTON: I will address it, with the
18 limited information that I know, as I understood that that
19 was withdrawn, maybe.

20 CHAIRPERSON BERLYN: Yeah --

21 MS. PENNIGTON: That that recommendation was
22 withdrawn. And I'm not certain what will happen in the

1 future, but I -- that -- it was my understanding that that
2 recommendation was withdrawn because it was based on the
3 previous memo that was sent out in December, and not on the
4 February 1st memo.

5 CHAIRPERSON BERLYN: Based on an earlier draft, I
6 think --

7 MS. PENNINGTON: Exactly.

8 CHAIRPERSON BERLYN: That's what it looks like.
9 Okay. Okay. Yeah. Yes.

10 So, we don't have any -- we don't have any stated
11 amendments, and, if there are none, you know, from -- at
12 this point. So, is there any discussion of the
13 recommendations?

14 [No response.]

15 CHAIRPERSON BERLYN: Hearing none, I guess I can
16 call for a vote. Is --

17 [Laughter.]

18 CHAIRPERSON BERLYN: Correct?

19 [Laughter.]

20 MR. MARSHALL: When we have someone in the room
21 here seeking the floor, please raise your hand so the AV
22 people can turn your microphone on.

1 MR. NAOUM: Yes.

2 MR. MARSHALL: Yes.

3 MR. NAOUM: Chris Naoum. Work with the Benton
4 Foundation. Charles is also on the call. Just a matter of
5 format -- formatting the document, in terms of one -- each
6 of the three principles, should be 1, 2, 3, then a, b, c
7 afterwards. Just a quick comment on format of the document,
8 if we're going to present it. I don't know if that's --
9 that's something I saw, just looking at it right now.

10 CHAIRPERSON BERLYN: Yeah, you're absolutely --

11 MS. PENNIGTON: That's a good point.

12 CHAIRPERSON BERLYN: -- right. That's -- that
13 definitely can be changed around.

14 MR. MARSHALL: And -- this is Scott Marshall --
15 and, yeah, we do have editorial privileges, as it were, to
16 handle those things. And the actual recommendation will be
17 in the name of the Consumer Advisory Committee rather than
18 the --

19 MS. PENNIGTON: Rather than as a memo form,
20 correct.

21 MR. MARSHALL: -- the WG, since, after you vote on
22 it, it will be your recommendation.

1 MS. PENNIGTON: Okay.

2 CHAIRPERSON BERLYN: Right, right. And just so
3 that everybody is clear, we can -- we will be taking a vote
4 on the recommendation today, Scott. But, does everybody
5 understand the procedural issues here?

6 MR. MARSHALL: No, we are -- we'll take another
7 vote on this, to ratify what we're doing here today, during
8 our March 19 meeting. And this was because of a procedural
9 problem with the notice in the Federal Register for this
10 meeting. We missed the bullet by 1 day, as far as
11 publication prior to this meeting.

12 So, we will vote on this document today, and then
13 we'll just ratify it again at our March 19th meeting after
14 proper notice in the Federal Registry. MS.

15 PENNIGTON: Scott, this is Brenda Pennigton, I have another
16 question. Since there was a -- some mixup with respect to
17 the amendment that the Benton Foundation was going to submit
18 today, will they be able, or will any other party
19 [inaudible] submit amendments after today, after we take a
20 vote today?

21 MR. MARSHALL: Well, certainly, if the committee
22 so chooses to go back and open it -- you know, the document

1 up again --

2 MS. PENNIGTON: Okay.

3 MR. MARSHALL: -- that certainly could be done,
4 procedurally. I would hope that, in the interest of time,
5 we could proceed on without further amendment, but that's
6 your decision to make.

7 MS. PENNIGTON: Okay, all right.

8 MR. MARSHALL: Anybody can go back and reopen a
9 previously-decided-upon item.

10 VOICE: Hey, Scott?

11 MS. PENNIGTON: Okay, all right, thank you.

12 CHAIRPERSON BERLYN: I think you have a question
13 on the floor that we do need to take a vote on, and so, we
14 -- you know, unless someone wants to amend that action -- I
15 mean, that is the question on the floor, is this
16 recommendation. So, we should actually take that vote.

17 VOICE: Yeah, let's vote.

18 MS. PENNIGTON: Yes. Okay.

19 MR. MARSHALL: Are we ready to vote, then?

20 MS. PENNIGTON: Yes.

21 MR. MARSHALL: Okay, go ahead Debbie.

22 CHAIRPERSON BERLYN: So, all those in favor of

1 approving the Truth in Billing recommendation of the working
2 group, say -- signify by saying aye.

3 [A chorus of ayes.]

4 CHAIRPERSON BERLYN: Any opposed?

5 [No response.]

6 CHAIRPERSON BERLYN: And any abstaining?

7 [No response.]

8 MS. CRESPI: One abstain. This is Mary.

9 MR. MARSHALL: Mary abstaining, for the record.

10 Okay, thank you -- for Verizon.

11 MS. TSCHIRCH: Dodie Tschirch from Cablevision
12 will abstain.

13 MR. MARSHALL: Dodie, for Cablevision. Thank you.
14 Anyone else?

15 [No response.]

16 MR. McELDOWNEY: Hey, Scott and Debra, this is Ken
17 McEldowney. I have a suggestion. I would think it'd be
18 appropriate, as opposed to the amendments coming back to the
19 committee, that the amendments be submitted to the full CAC.

20 CHAIRPERSON BERLYN: I don't think there will be
21 -- okay, under -- I'm trying to understand this. Going
22 forward, my under -- I mean, this is approved now by the

1 Consumer Advisory Committee. So, we have -- we have a
2 document --

3 MR. McELDOWNEY: I'm sorry. This isn't the
4 committee, it's the full CAC. Never mind, Debbie.

5 CHAIRPERSON BERLYN: That's right.

6 MR. McELDOWNEY: I'm sorry, I'm sorry.

7 CHAIRPERSON BERLYN: So, this is now -- this is
8 now approved by the CAC.

9 MR. McELDOWNEY: Good.

10 CHAIRPERSON BERLYN: Okay. So, is there -- are
11 there anymore abstentions before we --

12 [No response.]

13 CHAIRPERSON BERLYN: Okay. So, Scott, you've got
14 our final vote.

15 MR. MARSHALL: I certainly do. Thank you very
16 much.

17 CHAIRPERSON BERLYN: Now, if the CAC or the
18 working group wants to take further action on this prior to
19 March 19th, there certainly are additional actions that can
20 be taken, separate and apart from this.

21 MS. PENNINGTON: Okay.

22 CHAIRPERSON BERLYN: So, you know, rather than do

1 separate amendments, I would just, you know, say there can
2 be additional actions.

3 MS. PENNINGTON: Okay.

4 CHAIRPERSON BERLYN: Correct, Scott?

5 MR. MARSHALL: Yes. I mean, you -- we will ratify
6 this on -- this action today -- on March 19th, and if you
7 wish to then open up the document or take additional action,
8 that would be the time to do it.

9 VOICE: Okay. Sounds good to me.

10 CHAIRPERSON BERLYN: Yeah, all right.

11 MS. CRESPIY: I have a question. This is Mary
12 again. We had scheduled this meeting in advance of our
13 March meeting in order to make a deadline, or try to get
14 this into the proceeding --

15 CHAIRPERSON BERLYN: Right.

16 MS. CRESPIY: -- in a more timely manner. So, do
17 we -- are we confident that the March 19th date is -- will
18 still work if we wait?

19 MR. MARSHALL: Yes.

20 MS. CRESPIY: Okay.

21 MR. MARSHALL: This is Scott Marshall. I spoke
22 with the lead policy person, Erica McMahon, about this

1 yesterday via email, and she assures me that will -- this
2 recommendation will still be timely on March 19th.

3 MS. CRESPY: Great.

4 CHAIRPERSON BERLYN: All right, great. However,
5 now that this is a document that has been approved by the
6 CAC, although it needs to be ratified, it's something that
7 at least can be shared, even though it's not a -- you know,
8 if she -- all -- even though the FCC knows that it still
9 needs to be ratified.

10 MR. McELDOWNEY: Got it, okay, great. I'll leave
11 it to you Beltway types to deal with the ratified versus
12 approved --

13 [Laughter.]

14 MS. PENNINGTON: So, is that it for our meeting?

15 CHAIRPERSON BERLYN: So, let's see. We -- I seem
16 to have jumped a half hour ahead -- almost a half hour ahead
17 of our schedule here, and I believe that we are done with
18 all the work that we had to do today. I appreciate
19 everybody joining the call.

20 Scott, you --

21 MR. MARSHALL: Yeah, I just have one word, if I
22 could, Debbie, please.

1 CHAIRPERSON BERLYN: Yes.

2 MR. MARSHALL: Our meeting officially, ladies and
3 gentlemen, is March 19th; however, we will be having working
4 groups meeting on the afternoon of March 18th, as previously
5 announced, and we're working on a Dutch-treat supper --
6 purely social, guaranteed -- event for the evening of March
7 18th, so that we can have some social time together. We'll
8 be sending out more information about this. Debbie and Joel
9 and Mark and I are -- will be working on that agenda very,
10 very shortly.

11 MR. McELDOWNEY: Great.

12 MS. PENNINGTON: Okay, sounds very good.

13 MR. MARSHALL: Thank you very much.

14 CHAIRPERSON BERLYN: Okay, well I'll --

15 MR. MARSHALL: Debra, it's back to you.

16 MR. BENTON: Debra, before you wrap up here, I --
17 Charles Benton, here. I sent you a memo, within the hour,
18 and I'm really sorry to have been so late on this. But, I
19 -- there is a very interesting meeting on the Hill next week
20 led by the -- most of the key people involved in
21 communications issues and [inaudible] of the public-interest
22 policies. And it's around a set of benchmarks that the

1 Media Reform Movement, if you want to call it such, has come
2 together around -- to submit to the FCC as part of their
3 process to pull together the final comments for the National
4 Broadband Plan, which was their notice of -- their NPB
5 Notice number 30. So, the last time you had -- anybody had
6 a chance to input into the plan was a -- the 27th of
7 January.

8 The reason I'm bringing this up is that they --
9 they're -- they've organized their recommendations around
10 five benchmarks, and I was interested that Mr. Gurin was
11 talking about the importance of consumer protection as a
12 benchmark.

13 Anyway, one of the three -- one of the five
14 benchmarks is, the FCC should set a goal of establishing
15 real consumer protections for broadband consumers within 12
16 to 18 months. Then there's a rationale for this benchmark.

17 And then, two policy recommendations: one, that's Truth in
18 Billing, and then number two is privacy.

19 And it just seems to me that the opportunity for
20 the CAC being a conduit of information from the field to the
21 FCC, and visa versa, especially around this benchmark number
22 3, gives a tremendous opportunity for getting the word out,

1 since we're preaching to the converted, so to speak.

2 But, of course, the devil's always in the details,
3 and it will be interesting to see in more specific terms
4 what the truth in billing and privacy goals are. And so,
5 maybe between now and our meeting on the -- in next month,
6 we could dig into this a little bit more, and perhaps even
7 ask someone that represents this group, like the Media and
8 Democracy Coalition -- Beth McConnell, would be, I think, a
9 very good person, since she is organizing -- helping to
10 organize this event on the Hill next Wednesday, the 17th,
11 about all this.

12 But, this is just -- this just really gives us a
13 terrific opportunity to think about what we've just done and
14 what we can still do to be helpful on the consumer
15 protection front, working with the public interest
16 communications leaders.

17 CHAIRPERSON BERLYN: Well, Charles, yeah, I -- you
18 know, I appreciate that, and I don't know if this is what --
19 the document that you sent right before the call.

20 MR. BENTON: It is.

21 CHAIRPERSON BERLYN: Okay, good. Well, I'll take
22 a look at. And I was just going to say, before we all got

1 off the phone -- and I don't know how many people are still
2 on, but --

3 MS. PENNIGTON: I'm still on the phone.

4 CHAIRPERSON BERLYN: Okay, good. Well, please --
5 you know, please do send Scott and I, you know any -- if you
6 have any particular thoughts that you want to convey, the --
7 about the March 19th meeting, please do that. But, I do
8 know that the FCC has some, you know, particular work that
9 they do want us to accomplish, and I think that that, in and
10 of itself, is a very exciting opportunity for us. So, we do
11 most certainly want to take advantage of that, as well. But
12 --

13 MR. GURIN: Yeah, and this is Joel again. Yeah, I
14 just -- I wanted to say, I like the idea very much of the
15 CAC helping to bring things to our attention that may be
16 arising in different parts of the consumer and advocacy
17 communities. So, by all means, I -- please be on the
18 lookout and bring things to our attention that you think we
19 should see.

20 CHAIRPERSON BERLYN: Good, good.

21 MR. BENTON: That's what we're doing.

22 MR. GURIN: I can see that. Thank you. Yeah.

1 CHAIRPERSON BERLYN: Thank you all. And --

2 MR. MARSHALL: Debbie, a motion to adjourn?

3 CHAIRPERSON BERLYN: Yes. Do I hear a motion to

4 adjourn?

5 MS. PENNIGTON: Yes, let's move to adjourn.

6 CHAIRPERSON BERLYN: Thank you.

7 [Laughter.]

8 CHAIRPERSON BERLYN: And a second?

9 MR. DEFALCO: Mark Defalco seconds.

10 CHAIRPERSON BERLYN: Thank you all. Well, thank

11 you all for being on the call today, and we look forward to

12 our next meeting. We'll get back to you shortly.

13 [Whereupon, at 3:40 p.m., the hearing was

14 adjourned.]

15

16

17

18

19

20

21

22