

Congress of the United States  
Washington, DC 20515

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July 20, 2016

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

Dear Chairman Wheeler,

We appreciate the Federal Communication Commission's (FCC) work to bring more competition to the "special access" business data services marketplace. Business data services are necessary for many sectors of our economy, from retailers to wireless providers, and reliance on these services is only poised to grow in the coming years. At the same time, access to a different service – wholesale voice – remains critical to the business community. We write today to request that as the FCC completes its work on business data services reform you also keep in place an interim condition ensuring continued access to wholesale voice service.

Our country's telecommunications networks are transitioning away from traditional TDM-based service to IP-based service. The FCC recognized in its 2015 *Technology Transitions Order* that this transition requires oversight to ensure values including competition continue to be protected. One area directly impacted by this transition is the market for wholesale voice service.

Today, incumbent telephone providers compete against competitive providers that lease access to portions of the incumbent's network on a wholesale basis. This wholesale access promotes competition and benefits business users by providing them with more choice. In the *Technology Transitions Order*, the FCC recognized the value of wholesale access to incumbents' networks and put in place an interim condition mandating that incumbent providers make a reasonably comparable IP-based service available if the traditional copper network is sunset. This interim condition is set to expire upon completion of the business data services proceeding unless the FCC acts to extend it.

Business data services and wholesale voice are distinct services. The expiration of the interim wholesale voice condition should not be tied to completion of the business data services proceeding because competitive providers do not purchase business data services in order to provide wholesale voice service. Allowing this condition to expire could leave many business users with no meaningful choice in providers and result in economic harm.

The FCC should further examine the market for wholesale voice service before allowing this pro-competitive condition to expire. Thank you for your attention to this matter and for your continued focus on competition.

Sincerely,

  
Edward J. Markey  
United States Senator

  
Anna G. Eshoo  
Member of Congress



Elizabeth Warren  
United States Senator



Mike Doyle  
Member of Congress



Richard Blumenthal  
United States Senator