

**STATEMENT OF
COMMISSIONER MIGNON CLYBURN**

Re: *Technology Transitions*, GN Docket No. 13-5, *Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers*, RM-11358, *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, RM-10593.

It is sometimes difficult for me to come to terms with the fact that when I joined the FCC back in 2009, the latest gadget was the iPhone 3GS and the first android device had just been introduced. In six short years, these devices have become technology dinosaurs... replaced with glitzy, more advanced versions that, for those of us fortunate enough to afford them, are completely integrated into our daily lives.

I reference the gadgets of yesteryear to highlight the fact that, while the pace of change and innovation is nothing short of amazing, the FCC's role - to ensure a proper balance that promotes these transitions, consistent with the statutory goals of consumer protection, competition, universal service and public safety - will never be obsolete.

Today's item focuses on the wireline network evolution from copper to fiber. In ex-parte meetings on this item, there were comparisons to the DTV migration of broadcasters from analog to digital, and how, in both situations, positive technological changes should lead to improvements in quality and service for consumers.

But, what was striking to me is the difference between these two transitions when it comes to ensuring that consumers understand, and are prepared for, the technology transition. With the DTV transition, the government invested billions of dollars for consumer education campaigns, which included radio, television and newspaper notices, as well as staff outreach and a subsidy for converter boxes. Even in-home assistance and walk-in centers were available. You almost had to live under a rock not to know that the DTV transition was coming, and all this work was done for an estimated 16-19 million households that did not subscribe to paid TV, because the number one goal was for no one to be left behind.

Unlike the DTV transition, there is no outreach budget from Congress ... no mandate to ensure that consumers understand and get prepared for change in telephone service, which is arguably far more critical than television – with all due respect to broadcasters – because it could mean life or death if you cannot dial 911. And the number of consumers affected is also larger. According to the most recently released FCC data, approximately 50% of residential telephone connections, or 37 million residential lines, remain on legacy wireline technology. Many of these consumers are harder to reach, elderly, and lack broadband at home.

And while I sincerely appreciate the Chairman adding clarifications and encouraging providers to do more to ensure that consumers are informed and understand the impact of any change, I still fear the hardest-to-reach consumers, that remain on legacy technologies, may be unaware or ill-prepared for this transition, especially if carriers are only required to notify them through “one neutral statement.” This is why I am pleased that the Order encourages providers to work collaboratively with their communities and states, to educate and inform impacted consumers. We all benefit if consumers understand and are ready for change.

When it comes to promoting competition, I believe the updates to our copper retirement rules, to provide additional notice, and reforms to our section 214 discontinuance process, to ensure reasonably

comparable service remains available to wholesale providers, strike the appropriate balance to ensure that transitions do not eliminate competitive alternatives. The section 214 discontinuance rules are interim, until resolution of the special access proceeding – which I hope to see “put to bed” before my term is up.

I am also pleased to see additional questions in the Further Notice, that identify specific criteria to use in future section 214 discontinuance proceedings, including a focus on consumer education and outreach.

In sum, this item takes some important steps when it comes to updating our regulatory policies. I applaud the Chairman for enacting new consumer protections rules, and supplying clarity to providers regarding the copper retirement and service discontinuance process. I would also like to thank the dedicated staff of the Wireline Competition Bureau for crafting a series of steps to that end.