

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Technology Transitions*, GN Docket No. 13-5; *USTelecom Petition for Declaratory Ruling That Incumbent Local Exchange Carriers Are Non-Dominant in the Provision of Switched Access Services*, WC Docket No. 13-3; *Policies and Rules Governing Retirement Of Copper Loops by Incumbent Local Exchange Carriers*, RM-11358.

During my travels across the country over the past four months, as part of my #ConnectingCommunities tour, I have seen powerful examples of how modern communications technology can make a positive impact in rural and urban communities.

In May, I saw how Charleston County's Consolidated 9-1-1 Center in North Charleston, South Carolina, is using the power of IP communications to improve service reliability for its community. And last month, as I witnessed how the administrators at Palo Alto's Lucile Packard Children's Hospital have embraced the use of telehealth and electronic medical records to improve patient care outcomes, I marveled at just how far we have come from when we adopted the Emerging Wireline Order. Now, I am thinking about how far we still need to go.

For decades, consumers have come to expect, that when they pick up their telephone, whether it is to contact emergency personnel during a natural or man-made disaster, or simply reconnect with a loved one, that their call will be completed. However, the basic infrastructure delivering those telephone calls is changing. Copper lines are being replaced by optical fiber and sometimes wires are being replaced by wireless technology. Today's *Order* is our means of ensuring that consumers will receive in the future what they expect now: reliable and secure, voice service.

While a few providers have already undergone these technology transitions, much change is still ahead: change we need to evaluate carefully. I am pleased to say we will have a chance to do just that, thanks to the authority granted to the Commission under Section 214 of the Communications Act.

The statute requires the Commission to determine whether it is in the public interest for a carrier to discontinue service, and it is our duty to ensure that consumers continue to receive critical service functionality, like calling 9-1-1, and having that operator know where they are located.

That is why we need to carefully evaluate any proposed discontinuances, in the context of technology transitions, to ensure that there is an adequate substitute for services poised to be discontinued. This is particularly critical when it comes to the most vulnerable in our society, for we cannot have, nor can we afford to have, a disconnected community of low-income, elderly or disabled citizens, as a result of any technology transition.

How do we best realize this? I have said this before, and will repeat it again: robust consumer education. It is unfortunate that this transition does not have the type of funding that enabled FCC staff to travel the country to ensure that consumers were notified, like during the DTV transition. Nonetheless, I am pleased that the item contains a requirement that carriers develop and disburse educational materials to all customers who will be affected by any transition. It also makes available trained staff to answer consumer questions about technology transitions.

I am also grateful that the item contains my suggestion to expand the availability of the consumer hotline beyond normal business hours, and make consumer education materials available in other languages. Consumers who cannot get to a phone during what is referred to as "regular" business hours, which is not so regular if you work shift hours, or are not so proficient in "telecom English," can get their transition questions answered in a way in which they can understand just what is going on with their vital communications service.

We also must look out for those who are price sensitive – like the currently unemployed, or those on fixed incomes. A new fiber line that results in an unaffordable service is a technology that does not hold out much promise for those most in need. So we must make sure that the next great thing in voice is not actually a foreclosed opportunity for some, masquerading as progress for all.

And while I am pleased that the item contains my suggestion that material changes in cost of a replacement service can be the basis for an application to not receive streamlined treatment, I believe a broader opportunity has been missed.

We could have ensured that affordability was truly a lynchpin, of the discontinuance analysis, and that the particularly-price-sensitive receive special consideration, when service providers, are discontinuing service. However, I am comforted that this item has changed to improve consideration for a discontinuance's impact on these vulnerable populations for whom voice service is particularly vital.

I would like to thank the staff of the Wireline Competition Bureau for their hard work on this item, which seeks to ensure that consumers remain protected during these important technology transitions.