In the Matter of:

Technology Transition Policy Task Force Seeks Comments on Potential Trials

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Before the FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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REPLY COMMENTS OF THE PUBLIC SERVICE COMMISSION OF WISCONSIN

The Public Service Commission of Wisconsin (PSCW) respectfully files these Reply Comments relative to the Public Notice of the Technology Transition Policy Task Force, dated May 10, 2013. The PSCW previously filed reply comments1 in response to the petitions of AT&T2 and the National Telecommunications Cooperative Association (NTCA)3 for proceedings to address the issues raised by a transition from a time division multiplexing (TDM) system to an Internet Protocol (IP) network. As it stated in those previous reply comments, the PSCW supports the idea of trials, but encourages the FCC to ensure that the impacts on various categories of customers are examined during any trials and are protected throughout this transition.

Retail customers of the transitioning company constitute the first category of customer who may be affected by a transition from a TDM to IP network. These customers have an interest in retaining their same basic service (or at least functionalities). However, in a transition of technologies, maintaining those capabilities may require different dialing practices or changes

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1 Reply Comment of the Public Service Commission of Wisconsin, dated February 22, 2013 (PSCW) in GN Docket 12-353.
3 Petition of NTCA, filed November 19, 2012.
in features. Further, some older equipment – including fax machines, PBX systems, alarms and medical monitoring equipment – may not be compatible with a network evolution. The Commission needs to ensure that these customers have a place – other than the provider – to ask questions, offer feedback, receive explanations and reassurance, and to make complaints. If the Commission does not believe it has the resources for that task, it should consider involving the states, who already have those capabilities.

The second category of customers are the interconnected incumbent local exchange providers (ILECs) and competitive local exchange providers (CLECs) in contiguous areas. These providers frequently exchange local traffic and may jointly provide facilities transporting traffic to tandems or neighboring exchanges. In some cases, the provider that may be trialing the network transition is also providing tandem functions for the smaller, rural ILECs. The Commission needs to ensure that these functions continue, that traffic continues to flow, and that all necessary routing information is preserved.

The third category of customers are the interconnected CLECs that are using the ILECs’ services, facilities or network functionalities to provide service to their end user customers. These services, facilities and network functionalities may not be available in exactly the same form after the transition. The Commission needs to ensure that the CLECs have a meaningful way to obtain equivalent services or to negotiate alternatives. Most section 251/252 (47 U.S.C. §§ 251 and 252) interconnection agreements provide such a mechanism. If the Commission does not ensure that those provisions apply, it needs to find and enforce an alternative method of compelling negotiations.

The PSCW has reviewed other filed comments and offers a few brief observations thereon:
• The PSCW supports the joint comments of the Minnesota Public Utilities Commission and the Minnesota Department of Commerce,4 the comments of the California Public Utilities Commission (PUC),5 the Michigan Public Service Commission (PSC),6 the Massachusetts Department of Telecommunications and Cable (DTC),7 PUBLIC KNOWLEDGE8 and the New York Department for Public Service (DPS)9 (and others) with respect to the importance of involving the states in the trials. The states have an important role to play, both in handling customer contacts and data collection and in reviewing the findings.

• The PSCW agrees with the statement of the New York DPS that “it is important to balance the interests of continuing customer protection while exploring the use and expansion of new technologies.” (Emphasis added.) The Commission needs to enable this transition, while also ensuring all three categories of customers, discussed above, continue to receive the services they require.

• As the PSCW noted in its previous comments, several providers have already converted much of their networks to fiber and VoIP. The PSCW agrees with the recommendations of the Massachusetts DTC and California PUC that the Commission should study these successful earlier conversions, in addition to conducting and evaluating any new trials.

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5 Comments of the California Public Utilities Commission and the People of the State of California, dated July 8, 2013.
7 Comments of the Massachusetts Department of Telecommunications and Cable, dated July 5, 2013.
8 Comments of PUBLIC KNOWLEDGE, dated July 8, 2013.
9 Comments of the New York Department of Public Service, dated July 8, 2013.
• The PSCW recommends that the Commission obtain additional information on the technical impacts and ramification of the proposed trials before implementation. As several parties have noted, including the NTCA,\textsuperscript{10} it is difficult to understand the potential impact of the trials from the information provided in this docket to date.

• The PSCW also notes the importance of continuing the services provided to CLECs, even as the transition to a fiber/IP network continues. The goal of trials should be, as Comcast\textsuperscript{11} noted, to further innovation; not to limit it. The PSCW believes that the technological transition can and should continue, and that it is not incompatible with continued operation of the competitive market as it is currently structured. The Commission needs to take care that trials do not serve to limit that innovation or force existing competitors out of the market.

As previously noted, the PSCW recognizes that networks are changing, will continue to change, and need to evolve. That change will be more successful if certain issues are studied and clarified. Trials may be a most effective way to obtain that kind of information and guidance. But those trials must be carefully crafted so that useful information can be learned, and so that irreversible damage to existing services, customers and arrangements is avoided.

The PSCW appreciates the opportunity to comment on these important issues.

Dated at Madison, Wisconsin, this 26\textsuperscript{th} day of July, 2013.

By the Commission:

\underline{Sandra J. Paske}
Secretary to the Commission

\underline{DL: 00777997}

\textsuperscript{10} Comments of the National Cable & Telecommunications Association, dated July 8, 2013.

\textsuperscript{11} Comments of Comcast Corporation, dated July 8, 2013.