

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of )

Rural Call Completion )

WC Docket No. 13-39

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**OPPOSITION OF THE VOICE ON THE NET COALITION**

The Voice on the Net Coalition (“VON”)<sup>1</sup> respectfully files this opposition to the petition for reconsideration submitted by NTCA-The Rural Broadband Association (“NTCA”) in the above-captioned proceeding (“Petition”).<sup>2</sup> NTCA requests that the Federal Communications Commission (“FCC”) reconsider the section of its 2018 Rural Call Completion Second Report and Order (“Order”)<sup>3</sup> in which the FCC declines to require covered providers<sup>4</sup> to file their documented monitoring processes and procedures.<sup>5</sup> VON supports the Order in its current form and recommends that the FCC deny the NTCA petition – which, if adopted, would add a meaningful and costly burden without any countervailing benefit.

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<sup>1</sup> The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of IP-enabled communications, including interconnected Voice over Internet Protocol (“VoIP”). For more information, see [www.von.org](http://www.von.org).

<sup>2</sup> *Petitions for Reconsideration of Action in Proceeding*, Public Notice, WC Docket No. 13-39 (rel. July 2, 2018); *Petition for Reconsideration of NTCA-The Rural Broadband Association*, Public Notice, WC Docket No. 13-39 (filed June 11, 2018) (“Petition”).

<sup>3</sup> *Rural Call Completion*, Second Report and Order and Third Further Notice of Proposed Rulemaking, WC Docket No. 13-39 (rel. April 17, 2018) (“Order”).

<sup>4</sup> A covered provider is a “provider[] of long-distance voice service that make[s] the initial long-distance call path choice for more than 100,000 domestic retail subscriber lines.” *Id.* at ¶ 6.

<sup>5</sup> *Id.* at ¶ 46.

**I. Covered providers are already incentivized to produce quality call performance.**

First, VON questions how publicly filing already-required documentation would further incentive covered providers to adhere to the rural calling rules.<sup>6</sup> Covered entities, like VoIP providers, already compete vigorously for end user customers in a marketplace that demands quality service at reasonable rates.<sup>7</sup> Even when covered providers were required to file quarterly reports with data on rural call attempts, the FCC ultimately found “no improvement in covered providers’ call answer rates ... in the aggregate” during the reporting period.<sup>8</sup> Further, despite NTCA’s claim that there is “no way for any party, including the Commission, to know what any covered provider’s monitoring procedures are,”<sup>9</sup> the FCC can swiftly obtain such information by initiating an investigation.<sup>10</sup> The FCC has not been shy about enforcing its rural calling rules.<sup>11</sup> An additional filing requirement could do no more to motivate compliance -- other than leading to potentially more enforcement actions against companies for failure to file the required documentation.

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<sup>6</sup> See *Rural Call Completion*, VON Coalition Comments, WC Docket No. 13-39, at 2 (filed Aug. 28, 2017) (“2017 VON Comments”).

<sup>7</sup> *Id.*

<sup>8</sup> Order, quoting *Rural Call Completion*, Report, WC Docket No. 13-39, 32 FCC Rcd 4980, ¶ 4 (2017).

<sup>9</sup> Petition at 7.

<sup>10</sup> Order at ¶ 46.

<sup>11</sup> See *inContact, Inc.*, Order, 31 FCC Rcd 4329 (2016); *Verizon*, Adopting Order, 30 FCC Rcd 245 (2015); *Matrix Telecom, Inc.*, Order, 29 FCC Rcd 5709 (2014); *Windstream Corp.*, Order, 29 FCC Rcd 1646 (2014); *Level 3 Commc’ns, LLC*, Order, 28 FCC Rcd 2272 (2013).

II. **The proposed filing would be an added burden with no foreseeable benefit.**

Further, as the FCC has already stated, there is no countervailing benefit to warrant this additional burden.<sup>12</sup> As the FCC correctly reasons, the documentation that NTCA proposes be made public would likely reveal confidential and sensitive technical and business details.<sup>13</sup> Even if such information were required to be filed, NTCA itself portends the likely scenario; the covered provider would request confidential treatment of the whole filing,<sup>14</sup> which would “undercut any purported benefits” anyway.<sup>15</sup> NTCA’s proposed filing obligation would be unproductive yet impose significant time and cost burdens on covered providers.<sup>16</sup>

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<sup>12</sup> Order at ¶ 46.

<sup>13</sup> *Id.*

<sup>14</sup> Petition at 8.

<sup>15</sup> Order at ¶ 46, n. 158.

<sup>16</sup> VON estimated that the now-defunct quarterly reports cost covered provider tens of thousands of dollars and dozens of hours per years. *See* 2017 VON Comments at 1.

## CONCLUSION

Improved call completion to rural communities is a priority for all VON members. However, the adoption of NTCA's proposed filing obligation would impose a meaningful burden on covered providers without any counterbalancing benefit. For these reasons, the VON urges the FCC to preserve the Order in its current form and to deny NTCA's petition.

Respectfully submitted,  
VOICE ON THE NET COALITION

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