

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

In the Matter of

Rural Call Completion

WC Docket No. 13-39
DA 13-780

JOINT STATE COMMISSIONS COMMENTS

The state public service commissions and departments from the states of California, Idaho, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, New York, Ohio, Pennsylvania, South Dakota, Vermont, and West Virginia, listed in Attachment A to these comments (Joint State Commissions), respectfully submit these comments in response to the Notice of Proposed Rulemaking (NPRM) released by the Federal Communications Commission (FCC) on February 7, 2013.¹ In the NPRM, the FCC seeks comment on rules to help address problems in completing long-distance telephone calls to rural customers. The Joint State Commissions support the approach described by the National Association of Regulatory Utility Commissioners (NARUC) in its comments filed in this proceeding, summarized below.

In the NPRM, the FCC seeks comment on rules to help address problems in the completion of long distance telephone calls to rural consumers. The NPRM demonstrates the need for immediate action to provide relief to customers that are attempting to place a call, or to

¹ *In the Matter of Rural Call Completion*, WC Docket No. 13-39, FCC 13-18, Notice of Proposed Rulemaking (rel. Feb. 7, 2013); Public Notice, DA 13-780 (rel. Apr. 18, 2013).

receive calls, in rural areas but whose calls are not completed. This is an issue that can seriously impact the lives and livelihood of all rural, suburban, and urban customers as these calls may originate or terminate anywhere in the United States.

The NPRM seeks comment on reporting and data retention requirements. The Joint State Commissions agree with NARUC that while the NPRM's proposed data collection is a positive step for monitoring the rural call completion problem, collecting data alone is not sufficient to resolve the problem.

In its comments, NARUC appropriately ask the FCC to take additional measures beyond collecting data. Those steps include: 1) requiring the industry to track, record, and report the reason for call failure; 2) requiring the industry to provide a timed message alerting the caller that their call is being routed; 3) requiring call path entities to register with the FCC; 4) creating a database for a Single Point of Contact (SPOC) for all call path entities; 5) eliminating safe harbors regarding collection and retention of call failure data; and 6) requiring the reporting of industry standard metrics. In addition, NARUC contends that the FCC should not unilaterally establish permissible call-completion comparison thresholds (ratios) for rural areas for either defining safe harbor provisions or determining enforcement action without forming a factual basis which supports such thresholds.

The Joint State Commissions, like NARUC, appreciate that the FCC has recognized the severity of rural call completion problems and also appreciate the FCC's enforcement actions thus far, including the opening of this rulemaking. However, the FCC should expand its

rulemaking to incorporate NARUC's suggestions to ensure call failure causes are timely identified and either resolved or enforced in a meaningful way.

Respectfully submitted,

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Attachment A
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WC Docket No. 13-39

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