



January 19, 2017

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Technology Transitions, et al. (GN Docket No. 13-5,
WC Docket No. 13-3, RM-11358)

Dear Ms. Dortch:

On January 17, 2017, Diane Holland of USTelecom and representatives from AT&T, CenturyLink, Fairpoint, Hawaiian Telcom, and Verizon¹ met with Peter Saharko, Rodger Woock, and Suzanne Yelen (in person), and Megan Capasso, Alex Johns, Alec MacDonnell, and Cathy Zima (by phone) of the Wireline Competition Bureau. We met to follow up on our prior meeting with bureau staff during which we discussed certain requirements in the *Tech Transitions 2nd Report and Order (Order)* that incumbent providers seeking automatic grant under section 214 to discontinue a legacy voice service and replace it with a service based on a new technology must meet.² At that time, we explained how the option for providers to demonstrate compliance with latency and data loss benchmarks described in Appendix B to the *Order* is not feasible for use with incumbent providers' managed voice services, and offered to develop alternatives for providers to meet those requirements.

We presented bureau staff with the attached handout describing three additional alternative testing methodologies for providers to measure latency and data loss using metrics that are consistent with the Commission's performance benchmarks, which are in part based on broadband performance measurement requirements under the Commission's Measuring Broadband America Program.³ We explained that allowing providers to use their existing internal performance measurement systems or to have flexibility to use lower-cost external options will better facilitate timely transitions to newer, more robust services while maintaining the Commission's performance standards.

¹ Attending in person were Dave Talbott (AT&T), Jeb Benedict (CenturyLink), and Fred Moacdieh (Verizon); by phone, Terri Hoskins and Hany Fahmy (AT&T), Paul Diamond and Michael Bugenhagen (CenturyLink), Ann Morrison (Fairpoint), and Candy Donohoe and Jay Garces (Hawaiian Telcom).

² See Ex Parte Letter from Diane Holland, USTelecom, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 13-5 (filed Sep. 26, 2016).

³ See *Technology Transitions, et al.*, 31 FCC Rcd 8283, ¶ 95, n.254; see also *id.* App. B, ¶¶ 16-17.

We also discussed the arguments raised in USTelecom's Opposition⁴ to the National Telecommunications and Information Administration's (NTIA) petition for reconsideration or clarification of the *Order*, filed on October 12, 2016. We informed bureau staff that we contacted NTIA staff directly, and have met twice with them since their petition was filed. We further noted that we are working with NTIA staff to develop a plan for addressing their concerns without the need for increased regulation, including developing best practices and encouraging more communication, education, and outreach to help mission-critical agencies prepare for transitions, and to help shift focus from preserving and extending support for outdated legacy services to preparedness for the necessary and inevitable transitions to newer, more reliable and robust services and technologies.

Finally, we explained that although we did not file comments opposing the petition for reconsideration of the *Order* filed on October 11, 2016 by the National Association of State Utility Consumer Advocates (NASUCA), *et al.* we do, in fact, oppose the petition. It is plainly unnecessary and outside the scope of the Commission's intent to establish an "adequate replacement" standard for "substantially similar" network performance and availability.

Please do not hesitate to contact the undersigned if you have questions or concerns.

Sincerely,



Diane Holland
Vice President, Law & Policy

Attachment

cc: Megan Capasso
Alex Johns
Alec MacDonnell
Peter Saharko
Rodger Woock
Suzanne Yelen
Cathy Zima

⁴ Opposition of USTelecom to Petition for Reconsideration of Clarification of the National Telecommunications and Information Administration, GN Docket No. 13-5, WC Docket No. 13-3, RM-11358 (filed Dec. 8, 2016).

Technology Transition Second Report and Order: Proposal for Network Performance Testing Methodology

January 17, 2016

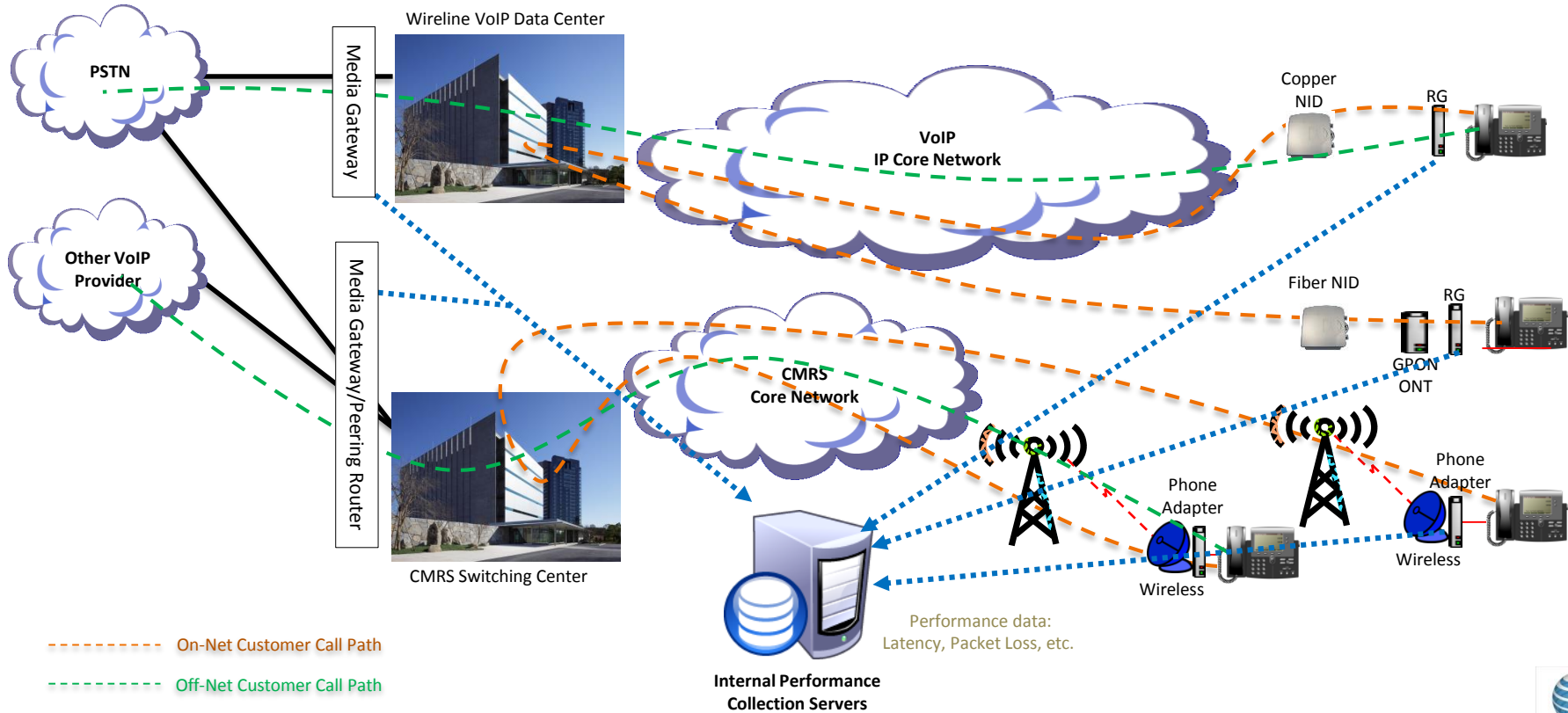


Network Performance Testing Methodology: Proposal

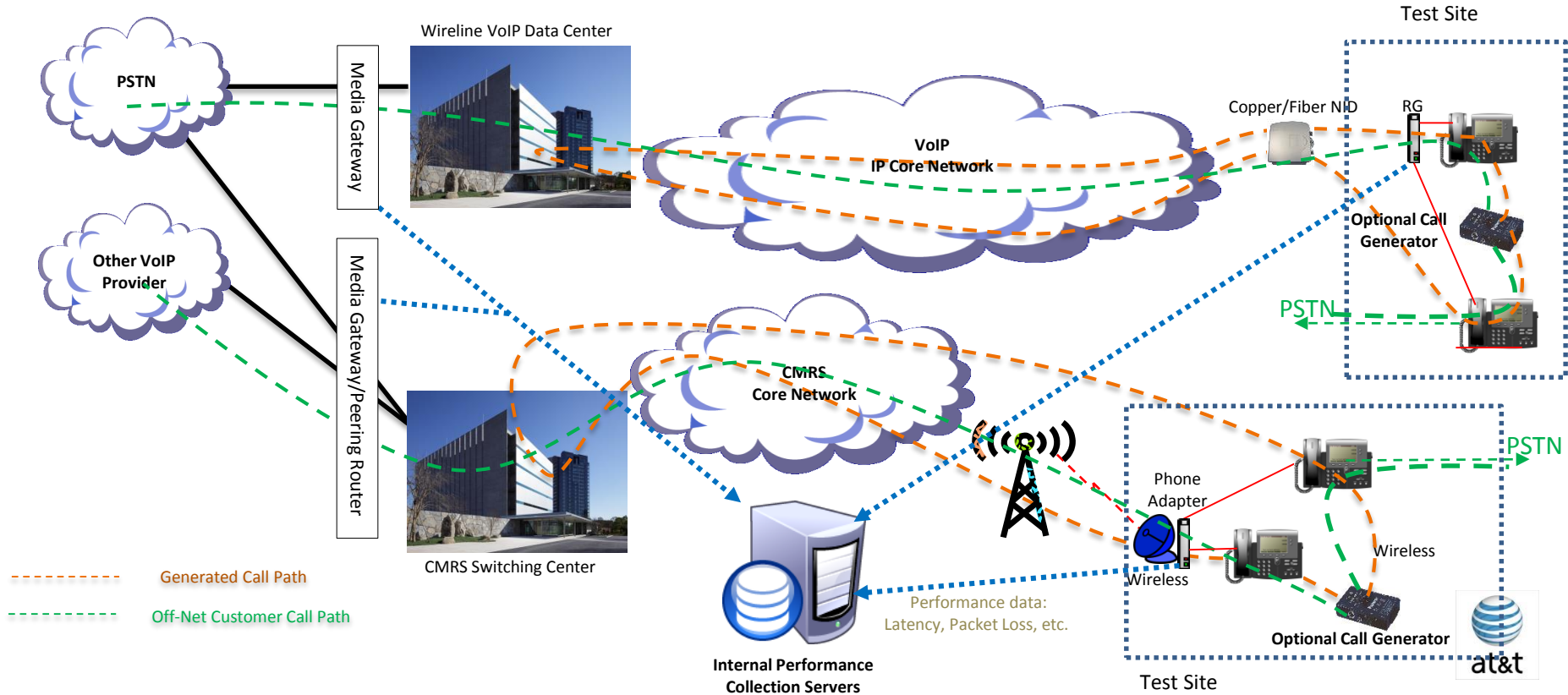
- Action item from the Sep 22nd meeting is to develop and propose performance testing options for technology transition solutions and vet the proposed options with other carriers, including smaller providers
- A company seeking streamline treatment under TTO2 (the “applicant”) would select one of three options to demonstrate that its replacement service meets the latency and data throughput benchmarks under the 1st prong of the adequate replacement test.
 1. Internal systems measuring performance of actual customers’ calls
 2. Internal systems measuring performance of generated calls
 3. External tester measuring performance of generated calls



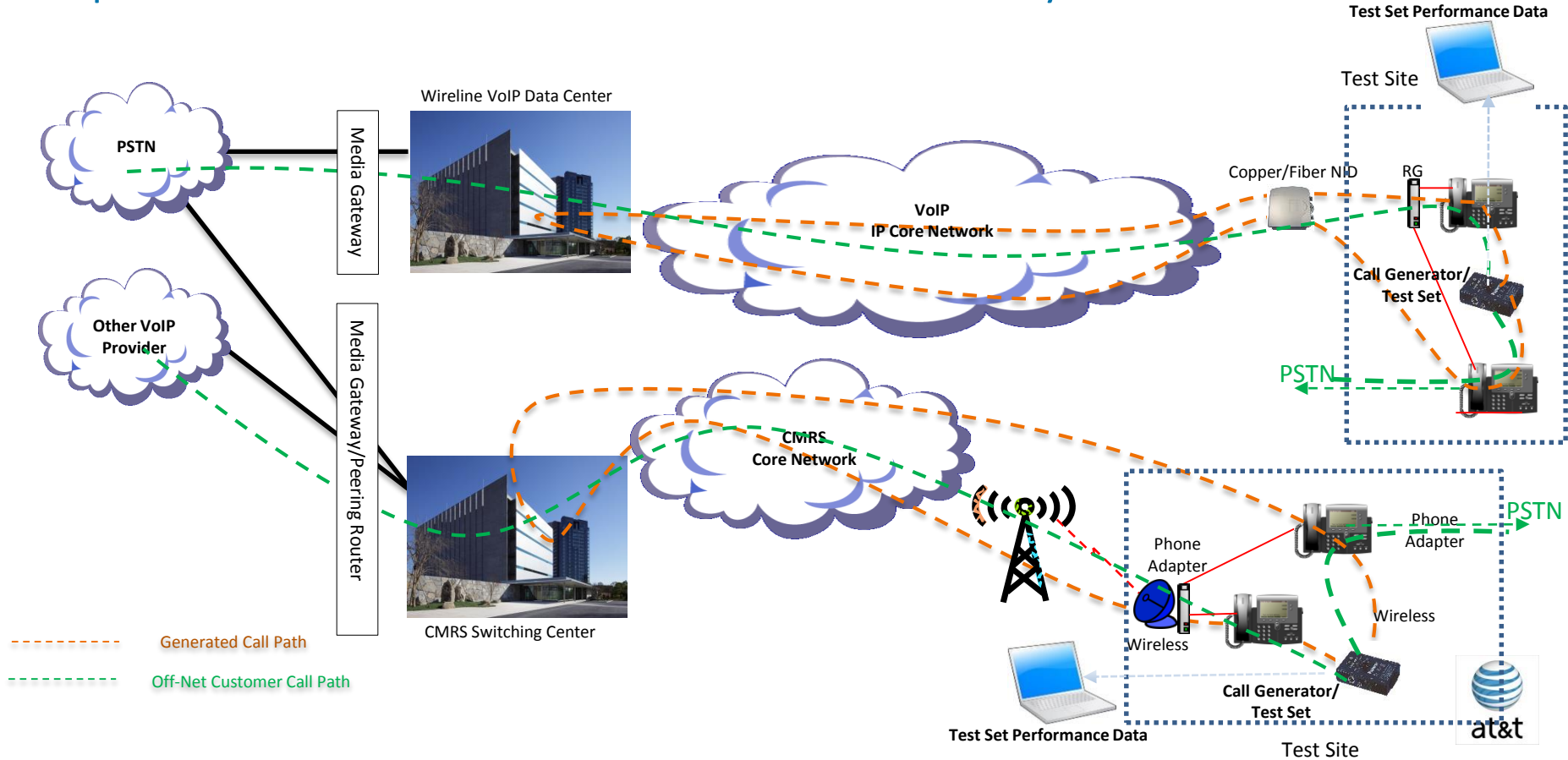
Option 1: Performance of Actual Customer's Calls Collected by Internal Systems



Option 2: Performance of Generated Calls Collected by Internal Reporting Systems



Option 3: Performance of Generated Calls Collected by Test Sets



Network Performance Testing Methodology Comparison

	TESTING METHODOLOGIES			
Appx B Para & Subject	Appendix B	Alt. Option 1	Alt. Option 2	Alt. Option 3
Paras 3, 5 and 6: Test plan	Submit test plan to OET 30 days prior to the start of performance testing	No test plan is required, provided that the test conforms to the methodology	The applicant will submit a test plan that describes the quantity, location and arrangement of the call generators	The applicant will submit a test plan that describes the quantity, location and arrangement of the external call test sets
Para 8: Test timing and duration	Tests conducted continuously, i.e., 24 hours per day, seven days per week, for a consecutive 30-day period	Every day for 30 continuous days during the peak period		
Para 9: Sample size	Random sample of 50 consumer and 50 business locations	100% of customer locations and their calls or a statistically significant sample of calls	A minimum of two test locations (e.g. lab, central office or retail store)	
Para 10: Geographical diversity	Geographic dispersion of customer locations throughout the areas where the replacement service is offered	Applicant can choose network-wide testing or a testing area that encompasses the discontinuance application area	If the test is for the entire network, measurement points will be placed in different regions - If the test is for a portion of the network, measurement points will be placed within the region encompassing the area of the discontinuance application	
Para 12: Testing points	All tests must be measured from customer premises to nodes (servers) in Internet Exchange Point (IXP) cities	The measurement points are those utilized by the applicant's internal performance reporting system, typically the residential gateway or telephone adapter at each customer premise and the media gateway used to interconnect with the PSTN		If national test, a minimum of two test locations in different regions or, if regional, two locations within the test region
Paras 13, 14: Off-net test server	Test node (servers) must be located outside of the Applicant's network and at the edge of the Internet backbone	Not applicable		
Para 16: Latency benchmark	100 milliseconds or less for 95 percent of all peak period round trip measurements	A mean of 200 ms or less between reporting points during the peak period for on-net calls for the duration of the test and a mean of 100 ms or less between reporting points during the peak period for off-net calls for the duration of the test		
Para 17: Data loss benchmark	less than 1 percent over all peak period round trip measurements	1 percent or less between reporting points for all calls during the testing period		

