



# TIA’s Regulatory Tracker

Updated August 1, 2008

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Issue	Date	Links	Summary
Broadband			
Broadband, Broadband Data Collection NPRM  (WC Docket No. 07-38)	NPRM Adopted: Feb. 26, 2007 Released: April 16, 2007  R&O and FNPRM Adopted: March 19, 2008 Released: June 12, 2008	<a href="#">FCC NPRM</a>  <a href="#">ORDER</a>	<ul style="list-style-type: none"> <li>– Seeks comment on whether to modify the collection of broadband penetration by speed/tier and how to improve the data collected, generally.</li> <li>– Specifically, seeks comment on how to modify Form 477 to improve data collection.</li> <li>– Also asks how the FCC can best collect information regarding subscribership to VoIP and develop a more accurate picture of current broadband deployment (more accurate estimate of representative urban, rural, low-income areas).</li> <li>– The R&amp;O modifies Form 477 so that data collection will be more granular so that data is collected using census tracts not zip codes; wireless service will be classified based on whether the consumer has access to full content versus content limited by the provider; and creates tiers based on speed, with 768 kbps as the lowest speed for broadband.</li> <li>– The FNPRM seeks comment on pricing data should be collected and how this more disaggregated should be collected.</li> <li>– The FNPRM also seeks comments on developing a nationwide broadband mapping program.</li> </ul>
Broadband, Broadband Data Collection NOI  (GN Docket No. 07-45)	NOI Adopted: March 12, 2007 NOI Released: April 16, 2007  TIA Comments Submitted: May 16, 2007	<a href="#">FCC NOI</a>  <a href="#">TIA COMMENTS</a>  <a href="#">FCC ORDER</a>	<ul style="list-style-type: none"> <li>– The NOI seeks comment on how “advanced telecommunications capability” should be defined.</li> <li>– Is advanced telecom capability being deployed to all Americans (availability, economics, and technological improvements) in a reasonable and timely fashion?</li> <li>– What can accelerate deployment? What are the patterns of consumer use?</li> <li>– TIA supports a “light-touch” deregulatory approach as critical to the deployment of next-generation broadband deployment,</li> </ul>



	FCC Order Adopted: May 19 Released: June 12, 2008		<p>as well as continued innovation in bandwidth-intensive applications.</p> <ul style="list-style-type: none"> <li>– TIA urges the FCC not to limit itself to one narrow and relatively arbitrary definition of “advanced telecommunications capability.” Instead a tiered analysis should be used to recognize all technologies and the capabilities they promote.</li> <li>– Wireless and wireline should be defined separately and any minimum definition of wireline should include the capability to transmit an HTDV signal, or 6 Mbps.</li> <li>– The FCC’s Fifth Report concludes that “advanced telecommunications capabilities” are being deployed to Americans in a reasonable and timely fashion.</li> <li>– The Order states that broadband deployment in the U.S. is on the rise, with the number of available high-speed lines increasing by 55% since the previous report, as well as the number of wireless devices available to consumers.</li> </ul>
Broadband, Special Access  (WC Docket No. 05-25)	NPRM Adopted: May 31, 2007 Released: July 9, 2007	<a href="#"><u>FCC NPRM</u></a>	<ul style="list-style-type: none"> <li>– Requests an updated examination of regulations as applied to price cap (LECs) interstate special access services, including whether the special access pricing flexibility rules adopted in 1999 have worked as intended.</li> <li>– Requests a refreshed record on the affect mergers had on the industry and the profitability of special access services</li> </ul>
Broadband, Forbearance from Title II  (WC Docket No. 06-147, WC Docket No. 06-125)	Embarq/Frontier Adopted: October 24, 2007 Released: October 24, 2007  TIA Ex Parte Submitted: Sept 7, 2007	<a href="#"><u>FCC FRONTIER, EMBARQ MO&amp;O</u></a>  <a href="#"><u>TIA EX PARTE</u></a>  <a href="#"><u>FCC AT&amp;T ORDER</u></a>	<ul style="list-style-type: none"> <li>– Grants forbearance petitions filed by Embarq and Frontier, similar to a petition by Verizon that was “deemed granted” on March 19, 2006.</li> <li>– The Commission will forbear from applying Title II and <i>Computer Inquiry</i> rules to certain broadband services (packet-switched telecom and optical transmission services) provided by Embarq and Frontier.</li> <li>– Relief from Title II results in relief from special access requirements.</li> </ul>



	AT&T Adopted: October 11, 2007		<ul style="list-style-type: none"> <li>– In its ex parte, and limited to the context of determining whether forbearance generally is justified, TIA urges the FCC to continue determining competition at the national level, a measurement used to support the deregulatory decision in the TRO and other deregulatory measures since.</li> <li>– In its Order, the FCC granted AT&amp;T limited Title II forbearance from the application of dominant carrier tariff filing, cost support, discontinuance, and domestic transfer of control and certain <i>Computer Inquiry</i> requirements to broadband services with regard to non-TDM-based services (Frame Relay, ATM, LAN, Ethernet, Optical Network Services, and Wave-Based).</li> <li>– This grant is restricted to services that AT&amp;T currently offers and lists in its petitions, and excludes all TDM-based, DS1 and DS3 services.</li> </ul>
Broadband, Interconnection  (WC Docket No. 06-55)	Order Adopted: March 1, 2007 Released: March 2, 2007	<a href="#"><u>FCC ORDER</u></a>	<ul style="list-style-type: none"> <li>– The FCC Order allows wholesale telecommunications service providers the right to interconnect with ILECs.</li> <li>– Allows cable operators the right to connect VoIP calls from their networks to LECs so they can access the PSTN.</li> </ul>
<b>CALEA</b>			
CALEA, Broadband Access and Services  (ET Docket No. 04-295, RM-10865)	TIA Comments Submitted: January 19, 2006  Order Adopted: May 3, 2006 Released: May 12, 2006	<a href="#"><u>TIA COMMENTS</u></a>  <a href="#"><u>FCC 2ND R&amp;O, MO&amp;O</u></a>	<ul style="list-style-type: none"> <li>– TIA argues that the first R&amp;O lacks specificity.</li> <li>– As a result of having to meet difficult CALEA standards the FCC should refrain from implementing the 18 month compliance deadline until after the scope of extending CALEA to VoIP and broadband services is better defined.</li> <li>– The FCC concludes that “Safe Harbor” standards are met if the carrier, manufacturer or support service provider is in compliance with publicly available industry technical standards.</li> <li>– VoIP and facility providers must supply caller id information</li> </ul>



			<p>so long as it is “reasonably achievable” (i.e. not a burden or requiring a significant system overhaul).</p> <ul style="list-style-type: none"> <li>– TTPs remain available, but are still held to the same standards as all under CALEA.</li> <li>– Under §107(C) petitions for extension of relief does not apply to equipment, facilities or services deployed on or after October 25, 1998 only prior.</li> <li>– Under §109(b)(1) in extraordinary cases by telecommunications carriers facing particularly high CALEA related costs can recover costs if compliance is not reasonably achievable (significant difficulty or expense-must meet high burden under 11 criteria) and the facilities, equipment or services were deployed post January 1, 1995 or; If the facilities, equipment or services was deployed on or before January 1, 1995.</li> <li>– Responsible for the cost of development unless meet the criteria for relief outlined under §109(b). (not an exemption)</li> <li>– FCC declines to set forth standards regarding new technologies under CALEA as it is against the public interest and innovation.</li> <li>– Broad enforcement ability against carriers and non carriers under §229 of Communications Act of 1934:             <ul style="list-style-type: none"> <li>o Enforcement of CALEA also applies to manufacturers.</li> </ul> </li> </ul>
<p>CALEA, DoJ Petition for CDMA Capabilities  (RM-11376)</p>	<p>Petition Filed: June 21, 2007  TIA Comments Submitted: July 20, 2007  TIA Ex Parte Submitted: Dec 7, 2007</p>	<p><a href="#"><u>DoJ PETITION</u></a>  <a href="#"><u>TIA COMMENTS</u></a>  <a href="#"><u>TIA EX PARTE</u></a></p>	<ul style="list-style-type: none"> <li>– The U.S. Dept. of Justice submitted a Petition for Rulemaking to the FCC contending that four additional intercept capabilities be included in the CALEA standard for CDMA2000 packet data wireless services.</li> <li>– These capabilities are: (1) Packet activity reporting; (2) More granular mobile handset information at the beginning and end of communication; (3) Service quality; and (4) Timing information (time stamping).</li> <li>– TIA argues that the additional capabilities requested by law</li> </ul>



			<p>enforcement have already been rejected as beyond the “plain language” of the statute.</p> <ul style="list-style-type: none"> <li>– Port numbers are typically not call-identifying information (CI); rather, this information is “content.”</li> <li>– The FCC must take into account the lack of cost recovery for these additional capabilities.</li> <li>– The FCC should not impede technological innovation by imposing any specific technology or onerous requirements.</li> </ul>
<b>Disability Access</b>			
<p>Disability Access, Hearing Aid Compatibility (WT Docket No. 07-250)</p>	<p>Order Adopted: April 6, 2007 Released: April 11, 2007</p> <p>TIA Comments Submitted: December 21, 2007</p> <p>R&amp;O Adopted: November 5, 2007 Released: November 7, 2007</p> <p>2<sup>nd</sup> R&amp;O Adopted: February 26, 2008</p> <p>Order on Reconsideration Adopted: April 17, 2008</p>	<p><a href="#">FCC MO&amp;O</a></p> <p><a href="#">TIA COMMENTS</a></p> <p><a href="#">FCC R&amp;O, NPRM</a></p> <p><a href="#">FCC 2ND R&amp;O</a></p> <p><a href="#">FCC ORDER ON RECONSIDERATION &amp; ERRATUM</a></p> <p><a href="#">REQUEST FOR COMMENTS (FED-REG)</a></p>	<ul style="list-style-type: none"> <li>– The FCC’s first MO&amp;O addresses waivers filed by nineteen non-nationwide carriers filed waivers seeking extensions to comply with the 09/16/05 HAC deadline, established in the 2003 HAC order, arguing that hearing aid-compatible handsets were not yet available as of the deadline.</li> <li>– Waivers were granted and denied in part and full <i>nunc pro tunc</i>.</li> <li>– FCC tentatively concludes that it should adopt a number of rule changes proposed by the Joint Consensus Plan (JCP). The proposals change the percentage of HAC phones that wireless providers and manufacturers must offer from 50% to 33%.</li> <li>– Stays enforcement of 50% requirement from Feb. 18, 2008 to April 18, 2008.</li> <li>– Seeks comment on how HAC rules will affect new technologies and services.</li> <li>– TIA filed in support of adopting the JCP without imposing additional requirements on emerging technologies.</li> <li>– The FCC adopted an Order implementing the JCP’s new percentage requirements; requiring CMRS phones to be HAC in any spectrum band for which there is an established technical standard; and did not apply HAC requirements to</li> </ul>



			<p>Wi-Fi devices.</p> <ul style="list-style-type: none"> <li>- Requires manufacturers to provide contact information to the FCC for Part 68 questions and complaints.</li> <li>- On its own motion, the FCC extended the stay of enforcement of the 50% requirement until 30 days after publication of the 1<sup>st</sup> R&amp;O in the Fed-Reg</li> <li>- Requires the Wireless Telecommunications Bureau and the Office of Engineering and Technology to use a notice-and-comment rulemaking to approve new versions of ANSI C63.19.</li> <li>- On June 12 the FCC published a notice in the Federal Register seeking additional comments on open issues in this docket.</li> <li>- The FCC seeks comments on how HAC rules should apply to multi-mode and multi-band devices and the application of its <i>de minimis</i> exception to the HAC rules.</li> <li>- Comments are due August 28, 2008.</li> </ul>
Disability Access, VoIP  (WC Docket No.04-36)	R&O Released: June 15, 2007	<a href="#">FCC R&amp;O</a>	<ul style="list-style-type: none"> <li>- Extends the disability access requirements that currently apply to telecommunications service providers and equipment manufacturers under section 255 &amp; 251(a)(2) to VoIP providers and VoIP equipment manufacturers.</li> </ul>
Disability Access, National Institute of Disability and Rehabilitation Research (NIDRR)	Published in the Federal Register: Feb. 15, 2006  TIA Comments Submitted: April 15, 2008	<a href="#">NIDRR Notice of Final Long-Range Plan for Fiscal Years 2005-2009</a>  <a href="#">TIA COMMENTS</a>	<ul style="list-style-type: none"> <li>- NIDRR seeks comment on its update of its Long-Range Plan for its new Plan, which will cover fiscal years 2010-2014.</li> <li>- The Long-Range plan addresses how NIDRR will disseminate and promote knowledge that will improve ability of individuals with disabilities to participate in the community.</li> <li>- The plan focuses on how technology can be used to create accessibility through Research &amp; Development (R&amp;D), Capacity Building, and Knowledge Translation.</li> <li>- The plan recognizes that there are limited economic incentives for manufacturers and universal design could be used to curb this.</li> </ul>



			<ul style="list-style-type: none"> <li>- TIA advocates that NIDRR should incorporate industry input into its plan.</li> <li>- Industry input is particularly crucial at the R&amp;D phase so that manufacturers can focus product development in areas lacking accessibility.</li> <li>- TIA's expertise in product and standards development would be extremely beneficial to NIDRR's goals.</li> </ul>
Disability Access, TEITAC Report	Submitted to the U.S. Access Board: April 3, 2008	<a href="#"><u>TEITAC FINAL REPORT</u></a>  <a href="#"><u>CTIA/TIA MINORITY REPORT</u></a>	<ul style="list-style-type: none"> <li>- TEITAC Report addresses how federal agencies and private industries are expected to make electronic and information technology (E&amp;IT) accessible to people with disabilities.</li> <li>- The recommendations are advisory, and the Access Board will initiate a formal rulemaking process before adopting regulations.</li> <li>- The report address issues such as hearing aid compatibility (HAC), real-time text (RTT), closed captioning, and user interface.</li> <li>- The CTIA/TIA Minority Report states that the Technical Requirements need clarification within the context of §255.</li> <li>- The Access Board should be cautions regarding technical requirements for captioning and RTT due to standardization development and interoperability testing.</li> <li>- Requests the right to submit economic impact data at a later date.</li> </ul>
Disability Access, E911 Requirements  (CG Docket No. 03-123; WC Docket No. 05-196)	R&O and FNPRM Adopted: June 11, 2008 Released: June 24, 2008	<a href="#"><u>R&amp;O and FNPRM</u></a>	<ul style="list-style-type: none"> <li>- In the Order the FCC adopts a system for assigning users of Internet-based Telecom Relay Services (TRS), ten-digit phone numbers linked to the North American Number Plan (NANP).</li> <li>- This is intended to ensure that emergency calls placed by Internet-based TRS users will be routed directly and automatically to the appropriate emergency services authorities.</li> <li>- The FNPRM seeks comment on additional issues relation to</li> </ul>



			the assignment and administration of the numbers.
<b>Net Neutrality</b>			
Net Neutrality, FCC Policy Statement  (CC Docket No. 02-33, CC Docket No. 01-337, etc.)	PS Adopted: August 5, 2005 Released: September 23, 2005	<a href="#"><u>FCC POLICY STATEMENT</u></a>	<ul style="list-style-type: none"> <li>– FCC Broadband Policy Consumer Principles: <ul style="list-style-type: none"> <li>○ Access the lawful Internet content of their choice.</li> <li>○ Run applications and use services of their choice, subject to the needs of law enforcement.</li> <li>○ Connect their choice of legal devices that do not harm the network.</li> <li>○ Competition among network providers, application and service providers, and content providers.</li> </ul> </li> <li>– Footnote stating the principles are “subject to reasonable network management”</li> </ul>
Net Neutrality, Broadband Industry Practices NOI  (WC Docket No. 07-52)	NOI Adopted: March 22, 2007 NOI Released: April 16, 2007  TIA Comments Submitted: June 13, 2007	<a href="#"><u>FCC NOI</u></a>  <a href="#"><u>TIA COMMENTS</u></a>	<ul style="list-style-type: none"> <li>– Seeks comment on: (1) how broadband providers manage internet traffic, (2) whether providers charge different prices for different speeds or capability of service, (3) whether the Policy Statement should be amended to include a “nondiscrimination requirement;” and whether the FCC has legal authority to enforce its Policy Statement.</li> <li>– Seeks comment on whether to distinguish between content providers that charge for access to content and those who don’t.</li> <li>– Seeks comment on consumers are affected by broadband market industry practices.</li> <li>– TIA argues issues surrounding broadband industry practices, including connectivity, convergence, quality of service, prioritization of date, network neutrality, competition, innovation, security, and consumer protection should be handled by regulators in the least invasive manner as possible and only when there is clearly a demonstrated need.</li> <li>– TIA provides the technical explanation and basis for different treatment of packets; a justification for competitive pricing; and why the Policy Statement should not be modified to</li> </ul>



<p>Net Neutrality, <b>UPDATED</b> Vuze and Free Press Petitions  (WC Docket No. 07-52)</p>	<p>Petition Filed: Nov 14, 2007  TIA Comments Submitted: February 13, 2008  TIA Reply Comments Submitted: February 28, 2008  Order Adopted: August 1, 2008</p>	<p><a href="#"><u>VUZE, FP PETITIONS</u></a>  <a href="#"><u>TIA COMMENTS</u></a>  <a href="#"><u>TIA REPLY COMMENTS</u></a>  <a href="#"><u>TIA EX PARTE</u></a></p>	<p>include a nondiscrimination provision.</p> <ul style="list-style-type: none"> <li>– FCC granted two Petitions for Rulemaking on the subject of network neutrality</li> <li>– Vuze petitions seeks comment on what constitutes “reasonable network management” practices by broadband network operators.</li> <li>– Free Press petition seeks comment whether the practice of degrading peer-to-peer traffic violates the FCC’s Internet Policy Statement.</li> <li>– In its comments and reply comments, TIA supports the FCC’s Internet Policy Statement, which recognizes the importance of reasonable network management.</li> <li>– TIA urges the Commission to address claims on a case-by-case basis, as detailed bright-line rules would distort market incentives and undermine the user experience.</li> <li>– TIA advocates that consumers must receive meaningful disclosure of material terms of service.</li> <li>– In its <i>ex parte</i> meetings and letter, TIA emphasized that the FCC should examine network management complaints on a case-by-case basis, the initial burden should be on the party filing the complaint, and network management is necessary to insure a positive consumer experience.</li> <li>– At its Aug. 1, 2008 Open Meeting the FCC determined that Comcast’s throttling of peer-to-peer traffic on its network constituted unreasonable network management by a 3-2 vote.</li> <li>– Within 30 days of the release of the <i>Order</i>, Comcast must: 1. Provide the FCC details of its discriminatory network management practices; 2. Describe how it intends to stop these practices by the end of 2008; and 3. Disclose to its customers and the FCC the network practices that will replace</li> </ul>
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			current practices.
Net Neutrality, Public Knowledge Petition  (WT Docket No. 08-7)	Petition Filed: December 11, 2007  Accepted: January 14, 2008	<a href="#"><u>PETITION</u></a>  <a href="#"><u>FCC PUBLIC NOTICE</u></a>	<ul style="list-style-type: none"> <li>– Asks the FCC to declare that text messaging and short codes are Title II Services or Title I Services subject to §202 Nondiscrimination rules</li> <li>– Argues text messaging is an interconnected mobile service subject to common carrier regulations</li> <li>– Discrimination harms free speech, is anti-competitive, causes monetary harms, stifles innovation, and affects public health</li> <li>– FCC seeks comment on Petition</li> </ul>
Net Neutrality, Rural Cellular Association Petition	Petition Filed: May 20, 2008  Accepted:		<ul style="list-style-type: none"> <li>– Asks the FCC to investigate and rule on exclusivity arrangements between commercial wireless carriers and handset manufacturers.</li> <li>– The petition puts forward five arguments as to why the FCC should adopt rules which prohibit exclusivity agreements which are against the public interest.</li> <li>– 1) Exclusivity agreements are disproportionately harmful to rural areas.</li> <li>– 2) Under the Communications Act, it is unlawful to discriminate against persons or localities.</li> <li>– 3) The Communications Act empowers the FCC to stop anticompetitive practices.</li> <li>– 4) The FCC has a history of prohibiting these types of agreements.</li> <li>– 5) Success in the market does not require exclusivity agreements.</li> </ul>
<b>Public Safety</b>			
Public Safety, E-911, Wireless  (PS Docket No. 07-114)	TIA Comments Submitted: August 20, 2007  FCC NPRM	<a href="#"><u>FCC NPRM</u></a>  <a href="#"><u>TIA COMMENTS</u></a>  <a href="#"><u>FCC R&amp;O</u></a>	<ul style="list-style-type: none"> <li>– TIA argues that there is not a near-term, implementable, technically feasible solution to meet the current accuracy requirements at every PSAP.</li> <li>– TIA argues that the Commission should: (1) decline to mandate a specific technology or technological standard; not</li> </ul>



	<p>Released: June 1, 2007</p> <p>R&amp;O Adopted: November 20, 2007</p> <p>Order Adopted: March 12, 2008</p>	<p><a href="#"><u>FCC ORDER</u></a></p>	<p>subject VoIP to the same location accuracy standards applicable to CMRS; and create an advisory working group representing all stakeholders to address this issue.</p> <ul style="list-style-type: none"> <li>- The FCC requires wireless carriers to meet the Enhanced 911 (E911), Phase II location accuracy requirements at the Public Safety Answering Point (PSAP) service-area level.</li> <li>- Establishes a series of interim requirements to ensure progress toward carrier compliance with the location accuracy requirements at the PSAP level, in which wireless carriers must account for only those PSAPs in their service areas that are capable of receiving E911, Phase II location data.</li> <li>- The compliance date for the above Phase II requirements was stayed from September 11, 2008 to March 11, 2009.</li> </ul>
<p>Public Safety, 700 MHz Band</p> <p>(PS Docket No. 06-229, CC Docket No. 94-102, etc.)</p>	<p>TIA Comments Submitted: February 26, 2007</p> <p>R&amp;O Adopted: July 31, 2007</p> <p>Released: August 10, 2007</p> <p>2<sup>nd</sup> FNPRM Adopted: May 14, 2008 Released: May 14, 2008</p>	<p><a href="#"><u>TIA COMMENTS</u></a></p> <p><a href="#"><u>FCC 2ND R&amp;O</u></a></p> <p><a href="#"><u>FCC 2ND FNPRM</u></a></p> <p><a href="#"><u>NPSTC PETITION FOR RULEMAKING</u></a></p> <p><a href="#"><u>TIA LETTER</u></a></p>	<ul style="list-style-type: none"> <li>- TIA urges the FCC to refrain from permitting secondary broadband use in the narrowband as proposed in the NPRM to minimize interference.</li> <li>- TIA suggests that the FCC reconfigure the band plan to create a contiguous narrowband block for more efficient spectrum use.</li> <li>- The FCC's Order eliminated two guard bands, creating another 2 MHz of spectrum, and relocated the A Block Guard Band.</li> <li>- Established performance requirements for commercial service providers.</li> <li>- Adopts a public-private partnership in the D Block to be used for a nationwide, interoperable public safety broadband network.</li> <li>- The 2<sup>nd</sup> FNPRM suggests possible revisions relating to the 700 MHz public-private partnership or a possible commercial-only D Block auction. Main areas of inquiry:</li> </ul>



			<ul style="list-style-type: none"><li>- Is a public-private public safety partnership in the D Block technically and commercially possible?</li><li>- What should the construction requirements be for the D Block auction winner in a public-private public safety partnership scenario?</li><li>- Should a public-private public safety partnership be established on a nationwide basis or on a Regional Economic Area basis?</li><li>- What Commission rules should be established for both the commercial D Block winner and public safety entities in order to make a public-private public safety partnership possible?</li><li>- What transparency issues should the FCC address?</li><li>- In the event a public-private public safety partnership in the D Block is not deemed viable, what are alternative uses for the D Block?</li><li>- What input can engineers offer in the evaluation of a D Block public-private public safety partnership and other possible options?</li> <li>- The FCC now seeks comment on the petition filed by the NPSTC, which proposed four amendments:<ul style="list-style-type: none"><li>- Allowing tactical voice communication on a secondary basis on the 921/1881 and 922/1882 channels.</li><li>- Re-designate the 681/1641 and 682/1642 channels for use as "Nationwide Interoperability Travel Channels"</li><li>- Designate twenty-four of the 700 MHz narrowband reserve channels as Interoperability Channels for use in deployable infrastructure.</li><li>- Permit analog operations at power levels of 20 watts ERP on channels 1-8/961-968. and 9-12/969-972 for on-scene incident response purposes using mobiles and portables only.</li></ul></li> <li>- TIA filed a letter supporting the FCC's intent to reacution the</li></ul>
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			<p>D Block.</p> <ul style="list-style-type: none"> <li>– Particularly, TIA noted the enablement of new interoperable public safety networks featuring broadband technologies and Land Mobile Radio Systems (LMRS) as a major benefit of the DTV Transition.</li> </ul>
<p>Public Safety, <b>UPDATED</b> Commercial Mobile Alert System  (PS Docket No. 07-287)</p>	<p>NPRM Adopted: December 15, 2007</p> <p>TIA Comments Submitted: February 4, 2008</p> <p>R&amp;O Adopted: April 9, 2008</p> <p>2<sup>nd</sup> Report &amp; Order and FNPRM Adopted: July 8, 2008 Released: July 8, 2008</p>	<p><a href="#"><u>FCC NPRM</u></a></p> <p><a href="#"><u>TIA COMMENTS</u></a></p> <p><a href="#"><u>FCC 1<sup>ST</sup> R&amp;O</u></a></p> <p><a href="#"><u>TIA COMMENTS</u></a></p> <p><a href="#"><u>FCC 2nd REPORT &amp; ORDER AND FNPRM</u></a></p>	<ul style="list-style-type: none"> <li>– Initiates a rulemaking to establish a Commercial Mobile Alert System (CMAS)</li> <li>– Under CMAS, Commercial Mobile Service providers may elect to transmit emergency alerts to the public.</li> <li>– THE CMSAAC recommends that: (1) commercial mobile alerts should be geographically targeted to the county level; (2) commercial mobile alerts should be delivered utilizing point-to-multipoint technology; (3) the FCC should not require legacy and non-initialized handsets to be CMAS-capable; (4) CMAS providers and manufacturers should be entitled to recoup related costs; (5) CMAS testing should not involve subscribers; and (6) CMAS messages should initially be limited to English.</li> <li>– In its comments, TIA supports the FCC adoption of the above CMSAAC recommendations without change.</li> <li>– The FCC’s Order targets alerts at the county-level.</li> <li>– Forbears from mandating delivery via point-to-point technology and allows delivery using point-to-multipoint.</li> <li>– CMS providers will be allowed flexibility in designing user interface.</li> <li>– The FCC found that whether providers can recoup CMAS-related development costs is outside the agency’s jurisdiction.</li> <li>– Specifying testing parameters is premature.</li> <li>– TIA submitted a comment urging the FCC to prohibit CMAS</li> </ul>



			<p>testing involving the delivery of test messages to cell phone users which TIA believe would unnecessarily strain cellular networks and alarm cell phone users.</p> <ul style="list-style-type: none"> <li>-</li> <li>- On July 8, the FCC adopted Commercial Mobile Alert System rules in compliance with section 602(c) and (f) of the WARN Act.</li> <li>- The FNPRM requires NCE and public broadcast television stations to install equipment and technologies that will provide these licensees/permittees with the ability to enable the distribution of geo-targeted CMAS alerts to participating CMS providers.</li> <li>- The FCC seeks comment on whether it should adopt rules that require NCE and public broadcast television station licensees and permittees to test the equipment that they are required to install pursuant to the rules adopted in the Second Report and Order.</li> </ul>
Public Safety, 911 call-forwarding, non- initialized phones  (WT Docket No. 02-55)	NOI Released: April 11, 2008	<a href="#">FCC NOI</a>	<ul style="list-style-type: none"> <li>- FCC released NOI seeking comment, analysis, and information on three specific areas: (1) the nature and extent of fraudulent 911 calls made from NSI devices; (2) concerns and suggestions concerning the blocking NSI phones used to make fraudulent 911 calls; and (3) other possible solutions to the problem of fraudulent 911 calls from NSI handsets.</li> </ul>
Spectrum			
Spectrum, DTV, Order and NPRM  (MB Docket No. 07-91)	NPRM Adopted: April 25, 2007 Released: May 18, 2007	<a href="#">FCC NPRM</a>	<ul style="list-style-type: none"> <li>- Proposes deadlines and procedures to ensure broadcasters complete construction of their post-transition, digital facilities by the statutory deadline.</li> <li>- Restricts the grant of future extensions of time to construct digital facilities.</li> <li>- Requires stations to file a form with the FCC detailing the</li> </ul>



			<p>status of the station’s digital transition, the additional steps the station must take before the deadline, and a plan for how the station intends to meet the deadline.</p> <ul style="list-style-type: none"> <li>– Establishes 2/17/07 as the construction deadline.</li> </ul>
<p>Spectrum, 700 MHz Auction  (PS Docket No. 06-229, WT Docket No. 98-86)  (AU Docket No. 07-157)</p>	<p>Order Adopted: April 25, 2007 Released: April 27, 2007  TIA Comments Submitted: February 26, 2007  2<sup>nd</sup> R&amp;O Released: September 12, 2007  Order Released: March 20, 2008</p>	<p><a href="#"><u>FCC ORDER, NPRM</u></a>  <a href="#"><u>TIA COMMENTS</u></a>  <a href="#"><u>FCC 2ND R&amp;O</u></a>  <a href="#"><u>FCC ORDER</u></a>  <a href="#"><u>TIA LETTER</u></a></p>	<ul style="list-style-type: none"> <li>– The FCC tentatively decided upon the adoption of none of the proposals restructuring Upper 700 MHz plan, and concluded that current wideband should be revised allowing only broadband applications consistent with a nationwide interoperability standard, combining narrowband spectrum at the upper portion and broadband at the lower.</li> <li>– TIA urges the FCC to: 1) avoid secondary broadband use of the narrowband spectrum to prevent harmful interference to public safety communications; 2) reconfigure the bandplan to create contiguous narrowband block; 3) and make more efficient use of the spectrum overall, regardless licensing and governance structure.</li> <li>– The FCC’s 2<sup>nd</sup> R&amp;O concludes upon the following:             <ul style="list-style-type: none"> <li>– Commercial Band Plan: Modifies the commercial 700 MHz band plan by increasing the amount of spectrum to be auctioned from 60 MHz to 62 and varying the size of service area licenses to be auctioned.</li> <li>– Guard Band Spectrum Band Plan: Modifies the Upper 700 MHz Guard Band spectrum by reallocating the A Block Guard Band, consolidating and allocating existing A Block Guard band licenses into a new A Block Guard Band, requiring the return to the FCC of all B Lock Guard Band licenses, and shifting the public safety broadband allocation downward by 1MHz and placing it adjacent to Upper 700 MHz D Block.</li> <li>– Prohibits the C Block licensee from (1) disabling features or functionalities in handsets, or (2) blocking, degrading, or</li> </ul> </li> </ul>



			<p>interfering with ability of end-users to download applications</p> <ul style="list-style-type: none"> <li>- Performance Requirements for Commercial Service Providers: Replaces the current “substantial service” requirements with interim and end-of-term benchmarks.</li> <li>- Public Safety Spectrum, Public/Private Partnership: Modifies the Public Safety spectrum band plan and adopts the proposal to license the 700 MHz Public Safety Broadband spectrum as a single nationwide geographic license comprising a total of 10 MHz (5 MHz paired blocks), and imposes a public private partnership for the use of said block.</li> <li>- 700 MHz Auction Update: The bidding for the 700 MHz Auction ended on March 18, 2008. With the exception of the D Block, each spectrum block met its reserved price. The sum of all provisionally winning bids in the auction is \$19,592,420,000, but does not include the D Block since it did not meet the reserve price.</li> <li>- The FCC <i>Order</i> de-links the D Block but does not immediately re-auction, to provide time to consider options with respect to the spectrum.</li> <li>- TIA filed a letter urging expedition of the auction and embracing both Land Mobile Radio Systems and Broadband in an interoperable public safety network.</li> </ul>
<p>Spectrum, <b>UPDATED</b> Unlicensed Devices (ET Docket No. 04-186, ET Docket No. 02-380)</p>	<p>R&amp;O Adopted: October 12, 2006 Released: October, 18, 2006  FCC PN Released: January</p>	<p><a href="#">FCC R&amp;O</a>  <a href="#">FCC PN</a>  <a href="#">FCC PN</a></p>	<ul style="list-style-type: none"> <li>- Allows the introduction of new low power devices to be used in the TV bands on channels/frequencies that are not being used for authorized services.</li> <li>- To minimize risk of interference, the FCC will not permit operation on channels 37, 52-69, and 14-20, if 14-20 are used for public safety.</li> </ul>



	<p>17, 2008</p> <p>FCC PN Released: July 10, 2008</p>		<ul style="list-style-type: none"> <li>– The FCC’s Office of Engineering and Technology (OET) begins a second phase of laboratory bench testing on the performance of prototype television white space on Jan. 24, 2008.</li> <li>– The testing is used to consider authorizing the operation of new, low power devices in the television (TV) broadcast spectrum at locations where channels are not being used for authorized services.</li> <li>– On July 14, the FCC began conducting tests of prototype white spaces devices as part of its rule making to consider authorizing the operation of new low power devices in the TV broadcast spectrum at locations where individual channels/frequencies are not being used for authorized services</li> </ul>
<p>Spectrum, 800 MHz Band Plan for US- Canada border regions  (WT Docket No. 02-55)</p>	<p>TIA Comments submitted: May 7, 2002</p> <p>FCC 2<sup>ND</sup> ORDER Adopted: May 9, 2008 Released: May 9, 2008</p>	<p><a href="#"><u>TIA COMMENT</u></a>  <a href="#"><u>FCC 2ND ORDER</u></a></p>	<ul style="list-style-type: none"> <li>– TIA supports taking action to reduce the current incidents of interference to public safety cellular type deployments.</li> <li>– TIA believes that the FCC should incorporate the following principles:</li> <li>– In cases of spectrum realignment, co-primary licensees should not lose their co-primary status.</li> <li>– Non-interfering licensees should be provided sufficient funding for relocation and their rights should be protected.</li> <li>– Contiguous spectrum should afford greater flexibility to both public safety and Business/Industrial Land Transportation (B/ILT) licensees.</li> <li>– Cross-border coordination needs to be taken into account when the Commission considers any spectrum realignment.</li> <li>– Currently deployed commercial wireless networks may not meet requisite reliability needs of public safety or B/ILT internal systems.</li> </ul>



			<ul style="list-style-type: none"> <li>– The Order established a reconfigured 800 MHz band plan in the U.S.-Canada border regions.</li> <li>– FCC established a 30-month transition period for completion of rebanding in the U.S.-Canada border regions, which will commence 60 days after the effective date of the 2<sup>nd</sup> Order.</li> </ul>
<p>Spectrum, <b>UPDATED</b> Advanced Wireless Services 3 Auction  (WT Docket No. 07-195, WT Docket No. 04-356)</p>	<p>FNPRM Adopted: June 20, 2008 Released: June 20, 2008</p> <p>FCC Order Adopted: July 8, 2008 Released: July 8, 2008</p>	<p><a href="#">FNPRM</a>  <a href="#">FCC ORDER</a></p>	<ul style="list-style-type: none"> <li>– In the FNPRM, the FCC proposes to adopt application, licensing, operating, and technical rules for the 2155-2180, 1915-1940, and 1995-2000 MHz band.</li> <li>– The FNPRM also proposes public access to free, nationwide high-speed wireless broadband Internet using a portion of the winner’s network.</li> <li>– The FCC also proposes technical rules for the H-Block.</li> <li>– FCC extended the deadline for the FNPRM on the M2Z proposal. Comments are now due on July 25, 2008.</li> </ul>
<b>Universal Service</b>			
<p>Universal Service, Contribution Methodology  (WC Docket No. 06-122, CC Docket No. 96-45, etc.)</p>	<p>R&amp;O Adopted: June 21, 2006 Released: June 27, 2006</p>	<p><a href="#">FCC R&amp;O</a></p>	<ul style="list-style-type: none"> <li>– The FCC R&amp;O adopts interim revisions for assessing contributions to federal USF.</li> <li>– Raises the existing wireless “safe harbor” percentage used to estimate interstate revenue from 28.5 percent to 37.1 percent.</li> <li>– Expands the base of USF contribution by extending universal service contribution obligations to providers of interconnected voice over Internet Protocol (VoIP).</li> <li>– Establishes a 64.9 percent safe harbor percentage of interstate revenue of total VoIP service revenue.</li> </ul>
<p>Universal Service, Joint Board Recommendation  (WC Docket No. 05-337, CC</p>	<p>Recommend. Adopted: April 26, 2007 Released:</p>	<p><a href="#">JOINT BOARD RECOMMEND.</a></p>	<ul style="list-style-type: none"> <li>– The Joint board recommends that the FCC impose an interim, emergency cap on the amount of high-cost support that competitive eligible carriers may receive for each state based on the average level of support distributed in that state.</li> </ul>



<p>Docket No. 96-45)</p>	<p>May 1, 2007</p> <p>Order Adopted: April 29, 2008 Released: May 1, 2008</p>	<p><a href="#"><u>FCC ORDER</u></a></p>	<ul style="list-style-type: none"> <li>- Recommends comprehensive high-cost distribution reform, including the elimination of the Identical Line Support rule.</li> <li>- FCC released an order imposing an interim cap on Competitive Local Exchange Carriers.</li> <li>- Total annual competitive ETC support for each state will be capped at the level ETCs were eligible to receive during March 2008 on an annualized basis.</li> </ul>
<p>Universal Service, Identical Support Rule, NPRM</p> <p>(WC Docket No. 05-337, CC Docket No. 96-45)</p>	<p>NPRM Adopted: January 9, 2008 Released: January 29, 2008</p>	<p><a href="#"><u>FCC NPRM</u></a></p>	<ul style="list-style-type: none"> <li>- Seeks comments on the FCC rules governing the amount of high-cost universal support provided to Competitive Eligible Telecommunications Carriers (CETC's).</li> <li>- Tentatively concludes that it will eliminate the "identical support"-- which provides CETC's with the same per-line support that ILEC's receive.</li> </ul>
<p>Universal Service, Reverse Auctions, NPRM</p> <p>(WC Docket No. 05-337, CC Docket No. 96-45)</p>	<p>NPRM Adopted: January 9, 2008 Released: January 29, 2008</p>	<p><a href="#"><u>FCC NPRM</u></a></p>	<ul style="list-style-type: none"> <li>- Seeks comment on the merits of using reverse auctions to determine the amount of high-cost universal service support provided to ETC's serving rural, insular, and high-cost areas.</li> <li>- Tentatively concludes the reverse auctions offer several potential advantages over current distribution mechanisms.</li> </ul>
<p>Universal Service, Broadband Fund, Comprehensive NPRM</p> <p>(WC Docket No. 05-337, CC Docket No. 96-45)</p>	<p>NPRM Adopted: January 9, 2008 Released: January 29, 2008</p> <p>TIA Submitted Comments: April 17, 2008</p>	<p><a href="#"><u>FCC NPRM</u></a></p> <p><a href="#"><u>TIA COMMENTS</u></a></p>	<ul style="list-style-type: none"> <li>- Seeks comment on recommendations (submitted to the FCC in May and Nov. 2007) of the Federal-State Joint Board on Universal Service regarding comprehensive reform of high-cost universal service report.</li> <li>- Proposes reforming the high-cost fund to include three separate support funds: (1) Broadband Fund; (2) Mobility Fund; and (3) Providers of Last Resort (POLR).</li> <li>- TIA comments support the creation of a Broadband Fund that is technology- and competitively-neutral.</li> <li>- If this is not immediately possible, broadband funding should increase over time as narrowband is phased out.</li> <li>- Broadband funding should support new buildout and</li> </ul>



			operations in unserved and underserved areas.
<b>Video Competition</b>			
Video Competition, Video Franchise, Section 621  (MB Docket No. 05-311)	<p>NPRM Adopted: November 3, 2005 Released: November 18, 2005</p> <p>TIA Comments Submitted: February 13, 2006</p> <p>TIA Ex Parte Submitted: January, February, March 2006</p> <p>R&amp;O Adopted: December 20, 2006 Released: March 5, 2007</p> <p>2<sup>nd</sup> R&amp;O Adopted: October 31, 2007 Released: November 6, 2007</p>	<p><a href="#">FCC NPRM</a></p> <p><a href="#">TIA COMMENTS</a></p> <p><a href="#">TIA EX PARTE</a></p> <p><a href="#">FCC R&amp;O</a></p> <p><a href="#">FCC 2ND R&amp;O</a></p>	<ul style="list-style-type: none"> <li>– <i>Seeking Comment:</i> How LFAs (local franchising authorities) can be prevented from unreasonably refusing to award competitive franchises and how such a standard can be enforced?</li> <li>– <i>Seeking Comment:</i> Whether the current franchising process unreasonably impedes the achievement of enhanced cable competition and accelerated broadband deployment?</li> <li>– <i>Seeking Comment:</i> Whether there are barriers to entry that LFAs have unreasonably imposed and what are competitor’s current abilities to obtain franchises?</li> <li>– TIA argues that delay and unreasonable demands by LFAs undermines Congress’s goal of promoting broadband deployment and video competition.</li> <li>– State or federal legislation would help alleviate this barrier to entry.</li> <li>– The FCC must act to minimize the adverse effects of the existing local franchise process via its adjudicative authority to adopt rules interpreting language and advancing Congress’s core goals of promoting broadband deployment and video competition.</li> <li>– Commission should state that any LFA that unduly delays action on a competitive franchise application or demands additional concessions has unreasonably refused to grant a competitive franchise. TX model of state franchising.</li> <li>– TIA reinforced the importance of regulatory certainty in order to stimulate investment.</li> <li>– A streamlined process for the local franchising process will provide certainty and simultaneously help to remove barriers for competitive video service providers.</li> </ul>



			<ul style="list-style-type: none"> <li>- The FCC adopted rules which prohibit LFA's from unreasonably refusing to award competitive franchises for the provision of cable services.</li> <li>- Establishes a 90 day time period by which LFA's may review a request by new entrants with existing rights of way to offer broadband and a 180 day time period for new entrants without existing rights of way.</li> <li>- Sets a 5% cap on franchise fees.</li> <li>- Places limits on build-out requirements.</li> <li>- Prohibits imposing PEG or I-NET requirements that are greater than those imposed on the incumbent</li> <li>- Prohibits taxing any non-cable related revenue</li> <li>- Seeks comment on how these rules should apply to existing franchisees and how local consumer protection and customer services standards apply to new entrants.</li> <li>- 2<sup>nd</sup> Order applies prohibition of unreasonable refusal to award competitive franchises by LFA's to incumbent providers.</li> </ul>
<p>Video Competition, 30% Cap on Cable Penetration  (MM Docket No. 92-264)</p>	<p>R&amp;O Adopted: December 18, 2007 Released: February 11, 2008</p>	<p><a href="#"><u>FCC 4TH R&amp;O</u></a></p>	<ul style="list-style-type: none"> <li>- Prohibits cable operators from owning or having an attributable interest in cable systems serving more than 30% of MVPD subscribers nationwide.</li> <li>- Seeks comment on whether to retain certain exemptions and an appropriate channel occupancy limit.</li> </ul>