



# PUBLIC NOTICE

Federal Communications Commission  
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**DA 09-2517**  
**Released: December 1, 2009**

## COMMENT SOUGHT ON TRANSITION FROM CIRCUIT-SWITCHED NETWORK TO ALL-IP NETWORK

**NBP Public Notice # 25**

**PLEADING CYCLE ESTABLISHED**

**GN Docket Nos. 09-47, 09-51, 09-137**

**Comment Date: December 21, 2009**

In the American Recovery and Reinvestment Act of 2009 (“Recovery Act”), Congress directed the Commission to create a national broadband plan by February 17, 2010, that seeks to “ensure that all people of the United States have access to broadband capability and ... establish[es] benchmarks for meeting that goal.”<sup>1</sup> Among other things, the Commission is to provide “an analysis of the most effective and efficient mechanism for ensuring broadband access by all people of the United States”<sup>2</sup> and “a detailed strategy for achieving affordability of such service and maximum utilization of broadband infrastructure and service by the public.”<sup>3</sup>

Broadband itself is a leading indicator of the major transitions in communications technology and services provided by incumbents and new entrants into virtually every segment of the communications industry. No longer is broadband simply another service—it is a growing platform over which the consumer accesses a multitude of services, including voice, data, and video in an integrated way across applications and providers.

Driven by technology and market forces, this evolution of communications services to broadband creates many opportunities for our country, but it also has a significant impact on the circuit switched Public Switched Telephone Network (PSTN), a system that has provided, and continues to provide, essential services to the country. Our country has been through other communications transitions, such as the transition from analog mobile service to digital mobile service or the transition from analog broadcast television to digital broadcast television. While each transition is different, policy has played an important role in ensuring consumers were protected from loss of essential services and were informed of the choices presented by the transition. Policy also has played a role in providing a glide path for all industry players, enabling more efficient planning and adjustment over the course of the transition.

The intent of this Public Notice is to set the stage for the Commission to consider whether to issue a Notice of Inquiry (NOI) relating to the appropriate policy framework to facilitate and respond to the

<sup>1</sup> American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 § 6001(k)(2) (2009).

<sup>2</sup> *Id.* at § 6001(k)(2)(A).

<sup>3</sup> *Id.* at § 6001(k)(2)(B).

market-led transition in technology and services, from the circuit switched PSTN system to an IP-based communications world.

In the spirit of understanding the scope and breadth of the policy issues associated with this transition, we seek public comment to identify the relevant policy questions that an NOI on this topic should raise in order to assist the Commission in considering how best to monitor and plan for this transition. In identifying the appropriate areas of inquiry, we seek to understand which policies and regulatory structures may facilitate, and which may hinder, the efficient migration to an all IP world. In addition, we seek to identify and understand what aspects of traditional policy frameworks are important to consider, address, and possibly modify in an effort to protect the public interest in an all-IP world. For example, one line of questioning that a Notice of Inquiry may pursue is how to continue ensuring appropriate protections for and assistance to people with disabilities in the transition to an IP-based communications world. Another could focus on the role of carrier of last resort obligations. In this Public Notice, we seek comment on what policy areas should be understood in considering how best to prepare for the transition from the circuit-switched to the IP-based communications world.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission’s rules, 47 C.F.R. § 1.1206(b).

- **All comments should refer to GN Docket Nos. 09-47, 09-51, and 09-137.**
- **Please title comments responsive to this Notice as “Comments – NBP Public Notice #25.**
- **Filers using the Commission’s Electronic Comment Filing System (ECFS) should enter the following text in the “Custom Description” field in the “Document(s)” section of the ECFS filing page: “Comments – NBP Public Notice # 25”.**

Comments may be filed using (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.<sup>4</sup> Comments can be filed through the Commission’s ECFS filing interface located at the following Internet address: <http://www.fcc.gov/cgb/ecfs/>. Comments can also be filed via the Federal eRulemaking Portal: <http://www.regulations.gov>.<sup>5</sup> Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission’s contractor will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All

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<sup>4</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).

<sup>5</sup> Filers should follow the instructions provided on the Federal eRulemaking Portal website for submitting comments.

hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

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For further information about this Public Notice, please contact Randy Clarke at (202) 418-1500.

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