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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Circ 1974).

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FCC REMOVES MORE ROADBLOCKS TO BROADBAND DEPLOYMENT IN RESIDENTIAL NEIGHBORHOODS

Action Harmonizes Treatment of Deep Fiber Networks

Washington, D.C. – The Federal Communications Commission (FCC) today took further steps to encourage deployment of fiber optic broadband networks capable of delivering advanced data, video and voice service to the mass market by incumbent local telephone companies.

The FCC's action is consistent with rules first adopted in 2003, and upheld by the U.S. Court of Appeals for the D.C. Circuit, that relieved incumbent local telephone companies of most obligations to lease advanced fiber-to-the-home (FTTH) network facilities to competitors at a regulated, cost-based price. The FCC found that those obligations discouraged incumbent carriers' investment in FTTH broadband facilities.

Today's action builds on those broadband principles, and relieves incumbents from unbundling requirements for fiber-to-the-curb (FTTC) loops, where fiber is extended within 500 feet of a customer's premises. The FCC found that FTTC networks can deliver many of the same benefits as FTTH networks. FTTC networks offer enhanced capability for providing advanced services, including the ability to offer voice, multi-channel video, and high-speed data services. The new rules free companies to choose between FTTH or FTTC networks based on marketplace characteristics, rather than disparate regulatory treatment.

The FCC also clarified that incumbent LECs are not obligated to build time division multiplexing (TDM) capability into new packet-based networks or into existing packet-based networks that never had TDM capability.

The FCC's order addresses October 2003 petitions filed by BellSouth Corp. and SureWest Communications. The petition asked the FCC to reconsider portions of its 2003 Triennial Review Order governing the incumbents' obligations to unbundled elements of their networks.

Action by the Commission, October 14, 2004, by Order on Reconsideration (FCC 04-248). Chairman Powell, Commissioners Abernathy and Martin, with Commissioner Copps dissenting and Commissioner Adelstein concurring in part, dissenting in part. Separate statements issued by Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein.

Docket Nos.: CC 01-338, CC 96-98, CC 98-147

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