

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Regarding the Notice of Proposed Rulemaking 25-73, in the Matters of Advancing IP Interconnection, Accelerating Network Modernization, and Call Authentication Trust Anchor, WC Docket Nos. 25-304, 25-208, 17-97.

Dear Ms. Dortch,

The American Consumer Institute Center for Citizen Research (ACI) is a nonprofit 501(c)(3) educational and research institute with the mission to identify, analyze, and protect the interests of consumers in legislative and rulemaking proceedings.

This NPRM proposes forbearance from enforcing two key provisions: Sections 251(c)(2) and 251(c)(6), which govern direct and indirect interconnection in time division multiplexing (TDM) telecommunications architecture for incumbent local exchange carriers (ILECs). TDM was the main method of yesteryear for connecting calls, but has since been overshadowed by modern communication technologies. ACI applauds the Federal Communications Commission's (FCC) efforts to update telecommunication regulations and align them with current market realities.

Technological advancements, including coaxial and fiber-optic cables as well as wireless technologies like satellite and fixed wireless access, have fundamentally reshaped the telecommunications market since 1996. According to FCC data from 2024, residential connections shifted nearly entirely to Voice over Internet Protocol (VoIP) services, while ILEC switched access lines connect only 14,691,000 of the 388,286,000, or 3.8 percent, of the voice telephony market.<sup>1</sup> Section 251 requirements, which were written when ILECs were dominant market players, are out of touch with the current state of the telecommunications market.

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<sup>1</sup> Federal Communications Commission, "Voice Telephone Services: Status as of June 30, 2024," Federal Communications Commission, May 2025, <https://docs.fcc.gov/public/attachments/DOC-411462A1.pdf>.

Outdated requirements for ILECs have come at a steep cost for consumers as they delay buildout of better technology, keep consumers vulnerable to copper theft and 911 outages, and keep consumers paying high prices for poor performance. Carriers report that maintaining their legacy systems costs as much as \$6 billion in capital that could otherwise be put towards faster deployment of better technology.<sup>2</sup> This keeps VoIP and bundled high-speed internet services out of reach for consumers who rely on copper connections, and also leaves copper-dependent consumers vulnerable to service disruptions when they need it most.

Copper theft disconnected at least 1.5 million consumers last year, cutting off their communications during emergencies.<sup>3</sup> Even when connected, copper-dependent consumers are at risk of 911 outages as current 251(c)(2) and 251(c)(6) force carriers who deploy advanced, Next Generation 911 technology to also support legacy 911 systems, requiring duplicative costs and inefficiency.<sup>4</sup>

In addition to safety concerns, existing ILEC requirements that maintain the copper status quo also keep prices high for consumers. A 2018 study on voice service affordability found that those stuck on copper wiring pay similar prices to a full 100 megabit per second fiber-optic internet plan with bundled VoIP and, at worst, only receive 0.77 Mbps of data.<sup>5</sup> At \$50 to \$65 per month, that equates to \$69.01 per megabit per second compared to \$0.60 per Mbps on fiber-optic plans.<sup>6</sup> Clearing the regulatory path for further network modernization is, therefore, a worthwhile goal and can deliver better services, improved safety, and lower prices for consumers.

Proposed forbearance from enforcing Sections 251(c)(2) and 251(c)(6) is a step in the right direction, as refraining from enforcement would allow ILECs to retire outdated TDM equipment—the backbone of old copper infrastructure. This, in turn, frees up resources to build out IP-based interconnection systems, accelerating the transition to an all-IP-based framework. Commissioner Olivia Trusty rightly noted that a switch from legacy networks to IP-based communications delivers “improved reliability and resiliency, greater competition, new and innovative services, and stronger public safety capabilities” to consumers.<sup>7</sup> Forbearance now, however, leaves the door open to reinstating enforcement in the future under the next administration. Deleting 251(c)(2) and 251(c)(6) outright would provide long-term stability for ILECs, but marginal improvements now are better than holding out for a perfect solution.

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<sup>2</sup> Joan Engebretson, “AT&T Plans Copper Retirement By 2029: Here’s How”, Telecompetitor, December 4, 2024, <https://www.telecompetitor.com/att-plans-copper-retirement-by-2029-heres-how/>.

<sup>3</sup> Olivia Trusty, “Responding to a Growing Threat: Defending Communications Infrastructure from Attack,” Federal Communications Commission, October 7, 2025, <https://docs.fcc.gov/public/attachments/DOC-415046A1.pdf>.

<sup>4</sup> Federal Communications Commission, “Report and Order in the Matter of Facilitating Implementation of Next Generation 911 Services (NG911) and Location-Based Routing for Wireless 911 Calls,” Federal Communications Commission, July 19, 2024, <https://docs.fcc.gov/public/attachments/FCC-24-78A1.pdf>.

<sup>5</sup> Bill Callahan and Angela Siefer, “NDIA-Tier-Flattening-July-2018.Pdf,” Digital Inclusion, July 31, 2018, <https://www.digitalinclusion.org/wp-content/uploads/2018/07/NDIA-Tier-Flattening-July-2018.pdf>.

<sup>6</sup> Ibid.

<sup>7</sup> Olivia Trusty, “FCC-25-73A4.Pdf,” Federal Communications Commission, October 28, 2025, <https://docs.fcc.gov/public/attachments/FCC-25-73A4.pdf>.



Forbearance remains a pro-consumer decision, and the FCC should take this opportunity to ease the regulatory burdens of Sections 251(c)(2) and 251(c)(6) on ILECs.

Respectfully submitted,

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