

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Inquiry Regarding Carrier Current	)	
Systems, Including Broadband Over	)	ET Docket No. 03-104
Power Line Systems	)	

**COMMENTS OF  
THE ALLIANCE FOR PUBLIC TECHNOLOGY**

**July 7, 2003**

The Alliance for Public Technology (APT) welcomes the opportunity to comment on the possibilities of broadband over powerline technology and the potential for this technology to increase access to advanced services. APT is a nonprofit organization comprised of public interest groups and individuals that have been highlighting the need for ubiquitous deployment of advanced telecommunications services throughout our nation for more than a decade.

In this proceeding, APT believes that the Commission has an opportunity to spur the growth of broadband services and offer more choices to consumers. While the Alliance is not in position to comment on the technical questions raised in the Notice, it is important to view the development of broadband over powerlines in the larger context of how this technology can accelerate deployment of advanced services and bring the life-enhancing applications to all Americans.

In order to fully recognize the potential of advanced telecommunications services, every sector of our nation must have affordable and useable access to them. To that end, APT developed the concept of “connecting each to all”<sup>1</sup> (i.e. networks gain their value by

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<sup>1</sup> *Connecting Each to All*, Alliance for Public Technology, 1993

having everyone connected) and articulated the following goal of advanced universal service that is now embodied in Section 706 of the 1996 Act:

Make available as far as possible, to all people of the United States, regardless of race, color, national origin, income, residence in rural or urban area, or disability high capacity two-way communications networks capable of enabling users to originate and receive affordable and accessible high quality voice, data, graphics, video and other types of telecommunications services.<sup>2</sup>

In the intervening years, APT has consistently urged the Commission to consider the impact of Section 706 for every proceeding. It is clear that our nation needs a strong federal commitment to the advanced universal service goals of the 1996 Act. It is equally clear that it is long past time for the FCC to use its full authority under Section 706 to remove barriers and create incentives for industry's rapid deployment of advanced services.

Broadband over powerlines has the potential to become a strong, facilities based provider in the in the developing broadband marketplace. This is an important step forward, as a robust market with additional facilities based providers can accelerate deployment and lower prices. The Commission has already taken action to encourage facilities based broadband competition by removing fiber and advanced services facilities provided by telephone companies from unbundling obligations. Now, the Commission has another opportunity to bolster broadband competition.

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<sup>2</sup> *Principles to Implement the Goal of Advanced Service*, Alliance For Public Technology, at 3 (1995).

The Commission must regulate broadband over powerlines in a technology neutral manner. All broadband providers must operate under the same rules. As we have seen with the disparate rules that govern cable and telco broadband, uneven regulations lead to uneven deployment. With this potential new entrant, the Commission can create a regulatory structure for broadband that treats all providers the same, encourages deployment and promotes facilities based competition.

An important component of this regulatory parity is the continued existence of consumer protections that have governed the telecommunications world. Accessibility requirements, such as those found in Section 255 of the Telecommunications Act, should be applied to the broadband over powerlines. Also, powerline broadband networks should be required to be interoperable with other broadband systems so that the entire broadband world interacts seamlessly.

APT respectfully urges the Commission to focus on increasing deployment and access when examining the questions regarding broadband over powerlines. Without a sensible regulatory framework, one that encourages investment by all providers, broadband will continue to be a technology with tremendous potential, but lessened results. With swift and decisive action, the Commission can accelerate the broadband movement and help deliver the benefits of this technology to all Americans.

Respectfully submitted,

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