

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission Investigation into)
the Provision of Prepaid Lifeline Service by)
Competitive Eligible Telecommunications Carriers.) Case No. 10-2377-TP-COI

**REPLY COMMENTS OF
AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY**

INTRODUCTION

On December 20, 2010, American Broadband and Telecommunications Company (“American Broadband”) filed comments in the above-captioned proceeding along with the following parties: TracFone Wireless, Inc. (“TracFone”); AT&T Entities (“AT&T”); Virgin Mobile USA (“Virgin Mobile”); Cincinnati Bell Telephone Company LLC and Cincinnati Bell Wireless, LLC (collectively “CBT”); the Office of the Ohio Consumers’ Counsel, Communities United for Action, Edgemont Neighborhood Coalition, Ohio Poverty Law Center, and Pro Seniors, Inc. (collectively, “Consumer Commenters”); and i-wireless, LLC. Pursuant to the Commission’s November 3, 2010 Entry in this matter, American Broadband respectfully submits its Reply Comments.

REPLY COMMENTS

American Broadband is compelled to comment in reply on only a single point discussed in the comments received by the Commission on December 20, 2010. The topic is that posed by the Commission’s Entry at Finding (5) requesting input on the question of what a prepaid Lifeline service offering should include to ensure that prepaid lifeline service subscribers receive value comparable to that received by postpaid Lifeline subscribers.


The comments provided by the various carrier parties were uniform in cautioning the Commission against the temptation to pick marketplace winners and losers by setting a minimum number of minutes that a prepaid wireless carrier must offer. The general sentiment of the carrier parties was that the FCC's requirements for Lifeline offerings should apply except where clearly inapplicable to a wireless service offering (See, e.g., AT&T at pp. 3, 4). The entire point of multiple ETCs is to substitute the opinion of the consumer for that of the regulator over the notion of "value." Command-and-control specifications by the regulator as to what shall be considered a minimum level of "value" are, to put it bluntly, paternalistic. As American Broadband argued in its Comments, it would be difficult to compare the "value" between flat rate wireline service with wireless service. How do you compare the value of mobility against a service limited to a specific location. All the "free" minutes in the world lose their value if the service is inaccessible. The larger telecommunications marketplace has long ago spoken as the marginal growth rates for mobile services far outstrip those of wireline basic local exchange service.

The Consumer Commenters offer the lone opinion that prepaid wireless Lifeline offering should include minimum standards, including "at least 250 free airtime minutes per month, with rollover; a free basic wireless handset" along with a raft of other requirements. Consumer Commenters at pp. 18-19. The Consumer Commenters' laundry-list of requirements is just that – a list. It may constitute the perfect service offering for somebody, or not, as the case may be, and that is the point. In a market-driven environment, the consumers will set the minimum service offering. Any attempt on the part of regulators to substitute minimum service offerings in place of a market-determined outcome will only serve to narrow the choices available to consumers. The Commission must resist the temptation to head down this path.

CONCLUSION

American Broadband respectfully requests that the Commission adopt its recommendations in its Reply Comments as set forth above, as well as the points raised in American Broadband's Initial Comments.


Respectfully submitted on behalf of
AMERICAN BROADBAND AND
TELECOMMUNICATIONS COMPANY



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CERTIFICATE OF SERVICE

The undersigned hereby acknowledges that a copy of the foregoing was served by either electronic mail or by regular U.S. Mail this 19th day of January 2011.


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Summary: Reply Comments of American Broadband and Telecommunications Company
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