

April 7, 2010

Hon. Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, N.W.  
Washington, DC 20554

Re: Federal-State Joint Board on Universal Service, High Cost Universal Service  
Support  
CC Docket No. 96-45  
WC Docket No. 05-337

Dear Chairman Genachowski:

We are deeply troubled that the people of Puerto Rico still do not enjoy the same basic telecommunications services that their fellow citizens in other U.S. jurisdictions enjoy. After more than 14 years, the FCC has yet to implement Congress's mandate in the 1996 Act to adopt high cost universal service funding for insular areas. Addressing this gap in the Commission's universal service policies and providing relief to non-rural insular areas like Puerto Rico is very important to our organizations and the people of Puerto Rico.

As the Commission prepares to act on the proposed insular mechanism by April 16, 2010, pursuant to its commitment to the U.S. Court of Appeals for the D.C. Circuit, we strongly urge the Commission to ensure that effective relief will be provided to Puerto Rico, as required by clear congressional directive in 1996 Act. Adoption of an insular universal service support mechanism that fails to distribute "sufficient" universal service support to Puerto Rico to improve wireline telecommunications services would be unacceptable. The island still lags significantly behind all U.S. states in telephone penetration. This simply cannot continue.

Aside from the basic necessity of expanding telephone service, maintaining and updating wireline telephone infrastructure is essential to the expansion of affordable broadband access in Puerto Rico. As Puerto Rico's per capita income is approximately 30 percent of the national average and less than half that of the lowest U.S. state, affordable broadband is critical to Puerto Rico's economy and its people. Yet the FCC's National Broadband Plan failed to mention insular areas. The fact is that many in Puerto Rico lack access to basic telecommunications and Internet services that the rest of the U.S. is able to take for granted.

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In 1996, Congress expressly directed the FCC to tackle such inequities by adopting universal service funding policies to ensure that consumers in “rural, *insular*, and high cost areas” have access to telecommunications and information services (1) that are reasonably comparable to the services provided in urban areas and (2) that are available at rates that are reasonably comparable to the rates charged in urban areas, Telecommunications Act of 1996, P.L. 104-104, § 254(b)(3) (emphasis added). Since the Law’s passage more than 14 years ago, the Commission has supported both wireline and wireless telecommunications services in rural areas and certain high cost areas throughout the United States, but it has not yet adopted a funding mechanism to address the unique needs of high cost non-rural insular areas like Puerto Rico. As a result, Puerto Rico – which has the lowest per capita income, the lowest telephone penetration and the lowest broadband penetration in the United States – gets zero high cost loop support. This is just inexplicable.

Puerto Ricans have a right to the same telecommunications and information services as other Americans enjoy. They cannot continue to be treated as second-class citizens. This is simply intolerable to us, and therefore, we urge the Commission promptly to provide effective relief to Puerto Rico through an insular universal support mechanism that supports wireline telecommunications services.

Sincerely,

The ASPIRA Association  
The Hispanic Institute  
Hispanic Technology and Telecommunications Partnership  
MANA, A National Latina Organization  
Latinos in Information Sciences and Technology Association  
League of United Latin American Citizens  
Minority Media and Telecommunications Council  
National Council of La Raza  
National Hispanic Caucus of State Legislators  
National Puerto Rican Coalition

cc: Hon. Michael J. Copps, Commissioner, FCC  
Hon. Robert McDowell, Commissioner, FCC  
Hon. Mignon Clyburn, Commissioner, FCC  
Hon. Meredith Attwell Baker, Commissioner, FCC

The contact person for this letter is David Honig, President and Executive Director, Minority Media and Telecommunications Council, 3636 16<sup>th</sup> St. N.W., #B-366, Washington, DC 20010, (202) 332-7005 and [dhonig@crosslink.net](mailto:dhonig@crosslink.net).