

Congress of the United States
Washington, DC 20515

April 24, 2008

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Martin:

We understand that several large telecommunications carriers (AT&T, Verizon, Qwest and Embarq) each have filed petitions asking the Commission to eliminate access to critical data generated under the Commission's Automated Reporting Management Information System (ARMIS) and the associated cost assignment and cost allocation rules. We request that this letter be made part of the official record of these proceedings.

We are concerned that eliminating access to ARMIS data and the associated cost assignment and cost allocation rules will severely undermine the ability of the Commission to fulfill its statutory oversight responsibilities. In order for the Commission to properly execute and enforce various provisions of communications law, the Commission needs complete and accurate financial, operating, service quality and network infrastructure data from carriers, and ARMIS is the only publicly available source of such information. For example, the Commission relies upon ARMIS financial data to determine whether communication service rates are just and reasonable under Section 201(b) of the Act. In addition, the Commission needs ARMIS data to make informed decisions on a host of issues pending before it, such as intercarrier compensation and special access, which will impact both marketplace participants and consumers.

Moreover, removal of access to ARMIS data will effectively thwart other stakeholders and State officials from accurately evaluating the communications market. In fact, numerous State regulators strongly oppose these petitions, because such officials routinely rely on this source of data to assess the levels of local competition, set rates, calculate intrastate universal service support, and examine service quality levels. Congress and other government entities, such as the Government Accountability Office, also review ARMIS data to make their own independent assessments about the marketplace.

We do not believe forbearance in these circumstances is justified. To the extent, however, that the Commission feels that ARMIS and its related rules are due for revision, we urge you to recognize that Section 10 is an improper mechanism through which to seek revisions to existing

The Honorable Kevin J. Martin
April 24, 2008
Page Two

rules, and accordingly, suggest that the Commission utilize procedures more conducive to such an undertaking. Finally, if the Commission is inclined to grant these petitions, we respectfully request that you submit to us a detailed report as to how the Commission intends to fulfill its statutory responsibilities without this data.

Sincerely,

Edward J. Markey

W. Dye

Lai Capps

Ken A. Waxman

Bill L. Adler
