

**Communications
Workers of America**
AFL-CIO, CLC

501 Third Street, N.W.
Washington, D.C. 20001-2797
202/434-1100



VIA FAX

February 29, 2008

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

In re: WC Docket No. 07-38

Dear Commissioner Martin:

The Communications Workers of America believes that it is very important for the Federal Communications Commission to expand its data collection efforts to include a range of broadband upload – as well as download – speeds and that data on 10 megabit per second (Mbps) download and 1 Mbps upload speeds be collected.

Upload speeds are becoming increasingly important as more people and businesses utilize webcams, upload sound or picture files to groups or to servers, maintain web pages, conduct online backups, participate in video conferencing and engage in many other on-line activities. A consumer with a 20 megabit per second (Mbps) upstream broadband connection could upload a 500 megabyte file, such as 400 digital photos or a medical imaging data set, in less than four minutes, compared with about 90 minutes over a 768 kilobit per second (Kbps) connection. A 3 gigabyte file, such as a one-hour family video shot with a high-definition video camera, can be uploaded in around 20 minutes with a 20 Mbps upstream connection, compared with more than nine hours with 768 Kbps connection.¹

Providers recognize the increasing importance of upload speeds since they are offering and advertising these higher upload speed offerings – such as ATT with its U-Verse and Verizon with its FiOS products.

¹ Verizon Communications, *Verizon Redefines 'Fast' With Groundbreaking FiOS Internet Service featuring 20 Mbps Download and Upload Speeds*, October 23, 2007.

Other regulators and countries have recognized the importance of upload, in addition to, download speeds. The Public Utilities Commission of California recently adopted a 3 Mbps download and 1 Mbps upload standard to evaluate applications for the California Advanced Services Fund.² These speeds are much higher than the median 1.97 Mbps download and 371 Kbps upload speeds obtained by Americans using broadband.³ Meanwhile, consumers in many other countries are able to obtain connections with much faster upload speeds. The average advertised upload speed among the 30 member states of the OECD is 1.236 Mbps for DSL, 62.76 Mbps for Fiber to the Home, and 751 Kbps for cable.⁴ Singapore recently announced a plan for a Next Generation National Broadband Network offering a minimum speed of 100 Mbps download and 50 Mbps upload per end-user connection and scalability to 1 Gigabit per second and above.⁵

The Commission should begin collecting data on upload speeds to provide a baseline that will allow providers, consumers and policymakers the ability to identify just what is and is not available. This baseline will become ever more important as providers begin to offer higher levels of upload speeds and broadband applications increasingly rely on upload speeds.

A number of parties filing comments in this case have recommended that the Commission collect data on a range of upload, as well as download, speeds. For example, Consumers Union/Consumer Federation of America/Free Press recommended 11 download and 12 upload categories with upload speeds ranging from less than 200 kilobits per second in the bottom tier to greater than 100 megabits per second in the top tier.⁶ The Information Technology Industry Council recommended that upload speeds of 384 and 768 kilobits per second be included in their recommended first two tiers.⁷ The Library Association also recognized the importance of upload speeds when it stated that “it is essential to collect

² Decision 07-12-054 in Rulemaking 06-06-028, Order Instituting Rulemaking into the Review of the California High Cost Fund B Program, *Interim Opinion Implementing California Advanced Services Fund*, December 21, 2007.

³ Communications Workers of America, *Speed Matters: A Report on Internet Speeds in All 50 States*, July 2007.

⁴ OECD, Broadband Statistics, Average Advertised Upload Speed in the OECD area by technology, October 2007, available at <http://www.oecd.org/dataoecd/10/56/39575137.xls>

⁵ Singapore Outlines Vision for Open Access Broadband 2015, available at <http://www.convergedigest.com/Bandwidth/newnetworksarticle.asp?ID=23307&ctgy=>

⁶ WC Docket No. 07-38 Comments and Reply Comments of Consumers Union, Consumer Federation of America and Free Press filed June 15 and July 16th 2007, respectively.

⁷ WC Docket No. 07-38 Comments of the Information Technology Industry Council, filed June 15, 2007

the speeds for both download and upload...As the amount of user-generated content and the number of interactive websites increases, the usage of the upload bandwidth will also increase.”⁸ The Fiber-to-the-Home Council in its comments in Docket No. 07-45 focused on three wireline advanced services tiers: a current generation of 1.5 mbps downstream and 256 kbps upstream; a next generation tier of 10 Mbps downstream and 1 Mbps upstream; and a future generation tier of 100 Mbps downstream and 10 Mbps upstream.⁹ Of course, CWA also commented on the importance of measuring upload, as well as download, speeds in this docket.¹⁰

The CWA recommends that the Commission collect data on a range of upload as well as download speeds. The Commission should not ignore the importance of upload speeds in its data collection efforts.

The CWA also recommends that one of the data ranges on which it collects information includes a 10 Mbps download and 1 Mbps upload speed. The technology for these speeds currently exists and will be deployed more extensively in the near future. The Commission should prepare for this shift in available speeds by collecting data on such offerings now, as opposed to much later.

Sincerely,



Larry Cohen
President

cc: Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate

⁸ WC Docket No. 07-38, Comments of the American Library Association, filed June 15, 2007.

⁹ GN Docket No. 07-45, Comments of the Fiber-to-the-Home Council in the Notice of Inquiry, filed May 16, 2007.

¹⁰ WC Docket No. 07-38, Reply Comments of the Communications Workers of America, July 13, 2007.