



May 21, 2018

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: *In re Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. §160(c) to Accelerate Investment in Broadband and Next-Generation Networks* (WC Docket No. 18-141)

Dear Ms. Dortch:

On Thursday, May 17, 2018, Jon Banks, Patrick Brogan, and the undersigned of USTelecom – The Broadband Association met with the following FCC staff from the Wireline Competition Bureau: Kris Monteith, Madeleine Findley, Daniel Kahn, Terri Natoli, Michele Berlove, Megan Capasso, James Eisner, Pamela Megna, Shane Taylor, and Tracy Waldon. We were joined in person by Nick Alexander (CenturyLink), Curtis Groves and Fred Moacdieh (Verizon), and Gary Phillips (AT&T); and via teleconference by Craig Brown (CenturyLink), Jackie Flemming (AT&T), Kevin Caves (Economists Incorporated), Ed Naef and Micah Sachs (CMA Strategy Consulting), and Melissa Newman (Wilkinson, Barker, Knauer, LLP).

We discussed USTelecom’s Petition for Forbearance from certain outdated legacy requirements filed on May 4, 2018, that, if granted, will have a positive overall effect on consumers and the economy as a whole by accelerating investment in broadband and next-generation networks.¹ The Petition sets forth the *prima facie* case for forbearance in detail. Moreover, the Commission has stated that to be “complete-as-filed” a forbearance petition “must explicitly state the scope of the relief requested, address each prong of the statute as it applies to the rules or provisions from which the petitioner seeks relief, identify any other proceedings pending before the Commission where the petitioner speaks to the relevant issues, and comply with format requirements.”² USTelecom’s Petition meets this standard, contrary to claims in a

¹ *Petition of USTelecom for Forbearance Pursuant to 47 U.S. C. § 160(c) to Accelerate Investment in Broadband and Next-Generation Networks*, WC Docket No. 18-141 (filed May 4, 2018).

² *United States Telecom Ass’n Petition for Forbearance Under 47 U.S.C. § 160(c) from Enforcement of Certain Legacy Telecommunications Regulations*, Memorandum Opinion and Order, 28 FCC Rcd 2605 ¶ 5 n.17 (2013) (citing *Petition to Establish Procedural Requirements*

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Motion to Dismiss and other opposition recently filed in the docket.³ We also assured staff of our readiness and willingness to submit additional confidential and proprietary data (subject to Protective Order), explanations of our data analyses, and other supporting evidence into the record, as the Commission deems necessary and appropriate.

Finally, we informed staff that we will not oppose any of the Motions for Extension of Time to file comments and replies filed in the docket.

Sincerely,



Diane Holland
Vice President, Law & Policy

cc: (via email)
Kris Monteith
Madeleine Findley
Daniel Kahn
Terri Natoli
Michele Berlove
Megan Capasso
James Eisner
Pamela Megna
Shane Taylor
Tracy Waldon

to Govern Proceedings for Forbearance Under Section 10 of The Communications Act of 1934, as Amended, Report and Order, 24 FCC Rcd 9543, 9553 (2009)).

³ See, e.g., INCOMPAS Motion to Dismiss, WC Docket No. 18-141 (filed May 11, 2018); Letter from Access Point Inc.; BullsEye Telecom, Inc.; Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications; New Horizon Communications Corp.; and Xchange Telecom LLC (collectively the “Wholesale Voice Line Coalition”) to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-141 (filed May 18, 2018) (urging the Commission to dismiss the Petition).