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July 2, 2018

VIA ECFS

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation, *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 18-141

Dear Ms. Dortch,

On June 28, 2018, Daniel P. Friesen, Co-Founder of IdeaTek Telecom; Dane Jasper, CEO of Sonic Telecommunications; Carson Coffman, President/COO of Socket Telecom; Brian Worthen, CEO of Mammoth Networks; and, Chip Pickering, CEO, and the undersigned from INCOMPAS met with Commissioner Carr and Jamie Susskind.

In the meeting, these companies discussed their competitive service offerings and deployment of fiber networks. Together, these companies are providing innovative broadband service to anchor institutions, public charities, first responders, government entities, small businesses, and residential consumers. They have deployed an extensive amount of fiber, including in rural and underserved urban areas. A number of them are serving rural areas where they are the only broadband provider, or there is just one other broadband provider. They are bringing high-paying, skilled jobs to these rural communities. They also have a presence in urban areas (including the many underserved urban areas) where they provide faster, more cost effective, customized, and innovative service offerings than the incumbent and cable companies (where present). They pointed out that once they enter a market, the incumbent often responds with the deployment of fiber or a more innovative service offering, demonstrating the impact competition has on catalyzing prompt broadband deployment. Indeed, when the incumbent retires the copper and deploys fiber, the incumbent no longer has an obligation to provide access to the unbundled bare copper loop (*i.e.*, DS0)—meaning they already have a productive means to escape this obligation without the grant of forbearance and the ensuing disruption of critical markets.

These companies emphasized that continued access to unbundled network elements is crucial to their ability to continue to provide, and expand, these vital services and their network deployment in the communities they operate. For example, they stressed that the loss of access of interoffice dark fiber transport as part of the USTelecom Forbearance petition could hinder competitive broadband development by a decade. They discussed how, with growing demand

for high capacity services, now is the time the Commission should be promoting competitive build, not removing critical tools to deployment. These network builders explained how they leverage unbundled network elements—such as transport and loops—in key places, while they are entering a market and building out their fiber networks. They also noted that they still face significant barriers to entry in a number of locations. The executives of these small businesses are part of the communities they serve and are passionate about bridging the digital divide and bringing more innovative services in all areas.

Consistent with the Commission’s goal of expanding broadband deployment and ensuring a competitive market, the Commission should dismiss USTelecom’s petition outright and focus, first, on removing existing barriers to deployment and reject USTelecom’s attempt to cut off competitive fiber builders and their customers.

Respectfully submitted,

/s/ Karen Reidy

Karen Reidy
Vice President, Regulatory

cc: Commissioner Carr
Jamie Susskind