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August 9, 2018

**VIA ECFS**

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

**Re: Notice of Ex Parte Presentation,  
CC Docket No. 01-92, WC Docket Nos. 10-90 and 14-228**

Dear Ms. Dortch:

On August 7, 2018, representatives of a broad coalition of local exchange carriers (collectively, the “LEC Coalition”)<sup>1</sup> met with Thomas Johnson, Jr., David Gossett, and Richard Welch of the Office of General Counsel. The LEC Coalition representatives participating in the meeting were: Timothy Boucher of the CenturyLink LECs (by telephone), Jennifer Prime of Cox Communications, Thomas Whitehead of Windstream, AJ Burton of Frontier Communications, Yaron Dori of Covington & Burling LLP (as outside counsel to the CenturyLink LECs), and the undersigned (as outside counsel to Cox Communications, Frontier Communications, and Windstream).

During the meeting, we reiterated our support for the substantive positions reflected in the pending Petition for Declaratory Ruling filed by the LEC Coalition. We also noted that, in the course of related multidistrict litigation, the U.S. District Court for the Northern District of Texas has resolved key questions of law underlying the Petition in a manner that upholds the positions advanced by the LEC Coalition. We urged the Commission to refrain from any action inconsistent with the court’s findings.

We also addressed whether it would be beneficial for the Commission to provide further guidance with respect to mechanisms that might be used on a *prospective* basis to allow interexchange carriers to route commingled traffic through Feature Group D trunks, while treating intraMTA wireless traffic as exempt from access charges. We explained that if the

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<sup>1</sup> A complete list of the entities included in and represented by the LEC Coalition can be found in the Petition for Declaratory Ruling filed on November 10, 2014 in the above-referenced proceeding.

LATHAM & WATKINS<sup>LLP</sup>

Commission were to seek to develop new mechanisms for addressing this issue on a prospective basis, it should do so through a rulemaking proceeding.

Please contact the undersigned should you have any questions regarding this submission.

Respectfully submitted,

/s/ Matthew A. Brill  
Matthew A. Brill  
Jarrett S. Taubman

cc: Thomas Johnson, Jr.  
David Gossett  
Richard Welch