



November 5, 2018

***Ex Parte***

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

Re: WC Docket No. 10-90 & CC Docket No. 01-92 – CenturyLink Petition for Forbearance and WC Docket No. 18-156 – 8YY Access Reform

Dear Ms. Dortch:

On November 2, 2018, Michel Singer Nelson, representing O1 Communications (“O1”); David Aldworth, Alexander I. Schneider and Robert H. Jackson, representing Teliix, Inc. (“Teliix”), met with Travis Litman from Commissioner Rosenworcel’s office with respect to O1’s and Teliix’s previously presented positions in the above-numbered proceedings. We also discussed the attached documents that were provided to Mr. Litman.

The Parties explained how they have invested in IP networks that provide additional and better quality services than TDM networks but must also invest in TDM capacity to interconnect with AT&T and Verizon. We stated that the Parties need to recoup their investments in advanced networks, such as Teliix’s Toll Free Exchange®, just as AT&T and Verizon were able to use access revenues for decades to pay for their TDM networks and associated operating costs. They stressed that the availability of access charge revenues has enabled completion and the inability of CLECs to earn the same would result in a quick movement back to monopoly. We also emphasized the importance of VoIP provider-CLEC partnerships and over the top VoIP services in the development of healthy competition in the voice market.

We explained how over-the-top VoIP providers and their CLEC partners perform the very same functions as cable TV operators do for facilities-based VoIP services and as TDM voice providers do for traditional voice services. Additionally, the Parties showed that the provider of a broadband connection does not perform the functions necessary to offer voice services but merely transports packets. We then discussed an April 13, 2013 *ex parte* letter from Bandwidth.com, Inc. and Level 3 Communications, LLC, filed in several dockets, including WC Docket No. 10-90 and CC Docket No. 01-92, in which those service providers provided a feature-by-feature and function-by-function analysis that distinguished end office switching from tandem switching. The Parties described the history of the *2011 Transformation Order*, including the record that developed on the *VoIP Symmetry Rule* months prior to the *Order*.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being electronically submitted into the record of these proceedings and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Robert H. Jackson  
Robert H. Jackson  
Counsel for Teliix, Inc.

cc: Travis Litman