December 15, 2016

Ex Parte

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

Re: *In re Petition for Declaratory Ruling Regarding Applicability of the IntraMTA Rule to LEC-IXC Traffic*, WC Docket No. 14-228

Dear Ms. Dortch:

On December 13, 2016, Christopher Wright of Harris Wiltshire Grannis and I met with Lisa Hone of the Chairman's Office; Pam Arluk, Victoria Goldberg, Kris Monteith, Thomas Parisi, Robin Cohn, James Lichford, Vienna Jordan, and Doug Slotten of the Wireline Competition Bureau; and Peter Trachtenberg of the Wireless Bureau. Bret Lawson and Janette Luehring from Sprint participated in the meeting by phone, as did Amy Richardson, counsel to Sprint.

We showed that the Commission has repeatedly made clear that the "intraMTA rule" superseded the access charge regime. Additionally, we demonstrated that the imposition of access charges on intraMTA traffic cannot be reconciled with the Commission's regulations, which classify intraMTA traffic as "Non-Access Telecommunication Traffic." Accordingly, LECs are only entitled to reciprocal compensation in connection with intraMTA calls and may not impose access charges on other carriers, including IXCs, carrying such calls. We urged the Commission to again reiterate its rule in answering the petition for declaratory ruling filed in this docket by the LEC Coalition.

We emphasized that it would serve the interests of all parties for the Commission to reiterate its position soon because hundreds of telecommunications carriers are in discovery in connection with the related district court proceeding that may quickly escalate to a costly undertaking. That discovery is likely to be largely unnecessary once it is established that LECs are not entitled to impose access charges on intraMTA calls. Thus, it is now clear that, if the Commission waits to provide its guidance until the appeal of the recent district court decision, much time, effort, and money will be wasted.

We also discussed Sprint's challenge to Native American Telecom, Inc.'s recent tariff filing. In that tariff, NAT explicitly tariffed access charges for intraMTA calls carried by an IXC. We explained that the tariff filing directly contradicted the intraMTA rule.

Sprint distributed the attached document at the meeting.

Sincerely,

/s/ Keith C. Buell

Keith C. Buell
Director, Government Affairs

cc:
Pam Arluk
Victoria Goldberg
Kris Monteith
Thomas Parisi
Robin Cohn
James Lichford
Vienna Jordan
Doug Slotten
Peter Trachtenberg
Lisa Hone

Attachment