

DANIEL WEBSTER  
10<sup>TH</sup> DISTRICT, FLORIDA

COMMITTEE ON RULES

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE

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September 30, 2014

1052

Honorable Tom Wheeler, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

Dear Chairman Wheeler:

I am writing to express my support for an expedited resolution of a petition filed a year and a half ago by a local exchange carrier, Smart City Telecommunications (“Smart City”), in WC Docket No. 10-90. The petition seeks waiver of a rule which pertains to the mechanism established by the Federal Communication Commission (FCC) to recover FCC-mandated reductions in intercarrier compensation revenue.

According to information provided to my office by Smart City, Smart City’s case results from the phasing out of intercarrier compensation charges and the introduction of a new baseline to determine the calculation of revenues for intrastate access charges billed during a specified time period. Following this transition, Smart City settled a billing dispute with a carrier; however, the timing of the settlement was such that the revenues from that carrier were not calculated in Smart City’s baseline. Smart City has petitioned the FCC to waive a deadline so that Smart City can incorporate the revenues from this settlement into its baseline.

The aforementioned petition by Smart City has been pending before the FCC since March 2013. Does the FCC anticipate resolving the question of a waiver requested in the petition by Smart City? If so, what is the timeline for that resolution? Is there any information that the FCC lacks that is needed in order to expedite resolution of the petition?

I encourage the FCC to finalize consideration of this petition as quickly as possible and to give the waiver request full and fair consideration. While this petition remains unresolved, Smart City is forced to deal with increased uncertainty and costs associated with these circumstances.

I look forward to your response, and if I can provide you with any additional information, please contact Garrett Bess on my staff at 202-225-2176 or [garrett.bess@mail.house.gov](mailto:garrett.bess@mail.house.gov).

Sincerely,



Member of Congress



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

October 24, 2014

The Honorable Daniel Webster  
U.S. House of Representatives  
1039 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Webster:

Thank you for your letter regarding a petition filed by Smart City Telecommunications (Smart City) for a limited waiver of the Commission's intercarrier compensation revenue recovery rules for rate of return carriers. In your letter, you encourage the Commission to expedite a resolution of Smart City's petition and to give the waiver request full and fair consideration. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

The Commission's Wireline Competition Bureau (WCB) released a Public Notice seeking comment on Smart City's petition, and the comment cycles on the matter have been completed. Commission staff is carefully reviewing the record in the proceeding. In addition, WCB staff has met with representatives of Smart City and their consultants to further discuss their views on the waiver petition. I can assure you that we will take into consideration the issues and concerns presented by all stakeholders as the Commission makes every effort to conclude its review as quickly and equitably as possible.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized flourish at the end.

Tom Wheeler