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November 14, 2014

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *National Broadband Plan, GN Docket No. 09-51; Petitions for Rulemaking and Clarification Regarding the Commission's Rules Applicable to Retirement of Copper Loops and Copper Subloops, RM-11358; Business Broadband Marketplace, WC Docket No. 10-188; Technology Transitions Policy Task Force, GN Docket No. 13-5; Comment Sought on the Technological Transition of the Nations Communications Infrastructure, GN Docket No. 12-353*

Notice of Ex Parte Communications

Dear Ms. Dortch:

On November 13, 2014, Nancy Lubamersky, Vice President Public Policy of U.S. TelePacific Corp. d/b/a TelePacific Communications (“TelePacific”) (by phone), and the undersigned met separately with Rebekah Goodheart, Legal Advisor to Commissioner Mignon Clyburn, and Christine Sanquist, Law Clerk and Nicholas Degani, Legal Advisor to Commissioner Ajit Pai, and Joel Thayer, Legal Intern to discuss the Emerging Wireline Networks and Service Notice.

TelePacific expressed concern that RBOCs are not meeting their duty to maintain their networks, as evidenced by the increasing number of trouble tickets and outages TelePacific’s customers are experiencing. Because TelePacific incorporates copper loops and DS-1 special access services in its high-speed broadband offerings, outages that take 24+ hours to clear have a devastating impact on a customer’s ability to operate its business. The Commission should ensure that RBOCs do not avoid copper retirement requirements by letting their network deteriorate to the point that copper facilities are effectively retired and unavailable as inputs for competitive broadband services.

TelePacific also explained that:

- TelePacific, a facilities-based provider with an extensive network in California that includes more than 200 connections to commercial buildings, relies on last mile access to offer competitive broadband

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services to its SMB, school, health care, and community anchor institution customers.

- Properly maintained copper plant can be used to bridge the divide between today's largely copper-based networks and the mainly-fiber networks of the future.
- When copper is not maintained, customers are losers.

The discussion was consistent with the points in the Last Mile Access handout provided to the meeting participants. The participants also discussed examples of TelePacific customers who receive TelePacific's voice and broadband communications services that rely on copper and/or DS1/DS3 special access services as last mile inputs. The customer information was also provided to the participants.

Sincerely,

/s/ electronically signed

Tamar E. Finn

*Counsel for U.S. TelePacific, Corp. d/b/a
TelePacific Communications*

Enclosure

cc: (via E-Mail)
Rebekah Goodheart
Nicholas Degani
Christine Sanquist
Joel Thayer
Matthew DelNero