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November 17, 2014

VIA ECFS

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

Re: Notice of *Ex Parte* Presentation, InterCall, Inc.
Cisco WebEx LLC Request for Review of a Decision of the Universal Service Administrator, WC Docket No. 06-122

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, the undersigned counsel hereby provides notice of the following presentations by InterCall, Inc. ("InterCall") concerning Cisco WebEx LLC's ("Cisco") Request for Review of a Decision of the Universal Service Administrator ("Request for Review").[1] On Thursday, November 13, 2014, InterCall met, in separate meetings, with Daniel Alvarez, Legal Advisor to Chairman Wheeler; with Amy Bender, Legal Advisor to Commissioner O'Rielly; and with Priscilla Delgado Argeris, Legal Advisor to Commissioner Rosenworcel. On Friday, November 14, 2014, InterCall also met with Nicholas Degani, Legal Advisor to Commissioner Pai. On Monday, November 17, 2014, InterCall met with Rebekah Goodheart, Legal Advisor to Commissioner Clyburn.

In attendance on behalf of InterCall at each of these meetings were Lynn A. Stang, Esq., Vice President, Deputy General Counsel, West Corporation; and Steven A.

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[1] *See* Public Notice, *Wireline Competition Bureau Seeks Comment on Cisco WebEx LLC Request for Review of a Decision by the Universal Service Administrative Company*, DA 13-717 (rel. Apr. 15, 2013); *see also* Cisco WebEx LLC Request for Review of a Decision of the Universal Service Administrator, WC Docket No. 06-122 (filed Apr. 8, 2013) ("Request for Review").

Augustino of Kelley Drye & Warren LLP. Ms. Stang attended the November 17 meeting via telephone.

During the meetings, InterCall stressed the need for a quick decision in response to Cisco's appeal. Cisco and InterCall compete in the market, both for the provision of WebEx brand service and in desktop collaboration solutions generally. Cisco's failure to collect USF on the audio portion of its service provides it with a market advantage over InterCall, which collects USF in such situations. InterCall noted that since the petition was filed in April 2013, InterCall has continued to experience situations where customers are confused why USF is applied to the service by InterCall when it is not applied by Cisco. Therefore, in order to level the playing field, the Commission should act promptly to resolve the petition.

InterCall further stressed that the Commission's decision should achieve two goals: it should ensure a level playing field for online collaborative services and it should provide clear guidance as to the functionalities that do or do not require application of USF when audio is a component of a service. With respect to the first goal, InterCall stated that it is important for the Commission to apply its determination to all online collaborative services, including not only the services InterCall resells under the WebEx brand but also similar services offered under a provider's own brand using its own software. In other words, a level playing field can be achieved only if the decision applies to the industry as a whole.

With respect to the second goal, if the Commission were to determine that Cisco's service is integrated, it is important that the decision explain for the industry what constitutes audio integration sufficient for the service to be considered an information service. An ambiguous decision or a decision which does not provide a full explanation would leave Cisco and the industry without sufficient guidance as to the applicability of USF to collaboration services. Any such lack of guidance can lead to further market inequities, as providers may interpret the Commission's decisions in different ways. Finally, InterCall cautioned against basing any decisions at a level of detail that suggest the decision is provider-specific, rather than applicable to all functionally similar services.

In accordance with Section 1.1206(b)(2)(iii), this notice is timely filed.

Sincerely,

Steven A. Augustino

Counsel for InterCall, Inc.

Enclosure

cc: FCC personnel listed above