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Ex Parte

December 12, 2014

Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: *Federal-State Joint Board on Universal Service, CC Docket No. 96-45*

Dear Ms. Dortch:

On December 10, 2014, I met with Chin Yoo and Ryan Palmer of the Wireline Competition Bureau about a universal service contributor appeal filed by Cingular Interactive, which used to be a legacy affiliate of AT&T.¹ I briefly described the services that Cingular Interactive provided over its so-called Mobitex network and I mentioned that Cingular sold this business (including the spectrum) years ago to an unaffiliated provider. I also indicated that, based on the documents previously filed in the record, I believed that USAC simply erred when it invoiced Cingular Interactive in 2003 as though Cingular Interactive's services were telecommunications services, which they are not. In August 2013, USAC opened an audit of Cingular Interactive on the question of whether its services are information or telecommunications services and closed it in October 2013, concluding that that the "information [Cingular Interactive] furnished is sufficient for the administrator to close its review" and "[n]o further action is required on your part at this time"² I also noted that USAC continues to invoice Cingular Interactive interest and penalties as a result of this error and that we would appreciate a timely resolution to the matter.

Please do not hesitate to contact me with any questions,

Sincerely,

/s/ Cathy Carpino
Cathy Carpino

cc: Chin Yoo
Ryan Palmer

¹ See *Cingular Interactive, LP Application for Review*, CC Docket No. 96-45 (filed Jan. 30, 2004). Cingular Interactive filed seven other applications for review, all in 2004 and all addressing the same issue.

² *Id.*, Confidential Appendix, Ex. 16.