

February 12, 2015

Ex Parte Notice

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

Re: *Protecting and Promoting the Open Internet, GN Docket No. 14-28*

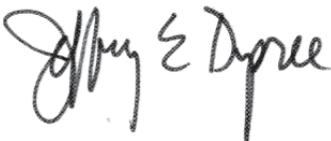
Dear Ms. Dortch:

On February 11, 2015, Colin Sandy and the undersigned on behalf of NECA spoke via telephone, in separate conversations, with Nicholas Degani of Commissioner Pai's office and Daniel Alvarez of Chairman Wheeler's office, to discuss tariffing issues for rate-of-return incumbent local exchange carriers in the above-referenced proceeding.

NECA discussed the Commission precedent giving rate-of-return carriers, such as those participating in NECA's interstate access tariff, the option to offer the transmission portion of their wireline broadband Internet access service as a Title II common carrier telecommunications service. *See Appropriate Frameworks for Broadband Access to the Internet over Wireline Facilities, CC Docket 02-33, et al.* 20 FCC Rcd 14853 (2005), at ¶¶ 89-95. Many rate-of-return carriers use these tariffed transmission services to provide broadband service in their rural areas. We encouraged the Commission to retain the status quo for these carriers, allowing them the option to continue to tariff this transmission service. We also urged the Commission to ensure the various actions being considered in the above-referenced proceeding, including any forbearance from enforcing Title II provisions related to tariffing and rate regulation, does not disturb this option for rate-of-return incumbent local exchange carriers.

Pursuant to section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,



cc: Daniel Alvarez
Nicholas Degani