

BALLER HERBST STOKES & LIDE

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March 6, 2015

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, NW
Washington, D.C., 20554

Re: *Notice of Ex Parte Communication*
WCB Nos. 14-115 (City of Wilson)

Dear Secretary Dortch:

On February 27, 2015, the City of Wilson, North Carolina, filed a copy of the attached letter to Commissioner O’Rielly to clarify the record on an issue that arose during the public meeting in this matter on February 26. A representative of the City had previously obtained permission to make that filing from a member of the staff of the Wireline Competition Bureau, as I have done for this filing. As a result, under the advance-permission exception in 47 § 1.1204(a)(10), neither filing is subject to the Commission’s Sunshine Prohibition Rule, 47 C.F.R. 1.1203.

Sincerely,



James Baller

Attachment

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February 27, 2015

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, NW
Washington, D.C., 20554

Re: *Notice of Ex Parte Communication*
WCB Nos. 14-115 (City of Wilson)

Dear Secretary Dortch:

Would you please file the attached letter to Commissioner O'Rielly, through which the City of Wilson clarifies the record on an issue that arose in yesterday's hearing in the above-captioned matter.

Sincerely,



James Baller

Attachment

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February 27, 2015

Commissioner Michael O’Rielly
Federal Communications Commission
445 Twelfth Street, NW
Washington, D.C., 20554

Re: *Ex Parte Communication*
WCB Nos. 14-115 (City of Wilson)

Dear Commissioner O’Rielly:

During the hearing in this docket yesterday, you stated at one point that the Commission’s order “would overrule certain sound restrictions justified by the use of taxpayer funding, such as public hearings and voting requirements even though, when I met with the City of Wilson, they said that they could live with them.”

The City of Wilson would like to clarify the record on this point. During our visit with you on January 20, 2015, representatives of the City did not say that the City could live any of the restrictions in S.L. 2011-84, which the City was challenging in its entirety. Rather, we stated that removing S.L. 2011-84 would not leave the City free of regulation, as it would still have to comply with the substantial body of requirements that existed before S.L. 2011-84 was enacted. Those are the requirements that the City said it could live with, not the barriers imposed by S.L. 2011-84.

We apologize for any confusion that our statements may have created.

Sincerely,



James Baller

cc: Secretary Marlene Dortch