

May 11, 2015

VIA ECFS

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

Re: *Notice of Ex Parte Presentation – Latency Requirements for Participation in High-Cost Support Mechanisms (WC Docket No. 10-90; WT Docket No. 10-208; WC Docket No. 14-58; WC Docket No. 07-135; CC Docket No. 01-92)*

Dear Ms. Dortch:

On May 6, 2015, Hughes Network Systems (“Hughes”) met with staff from the Wireline Competition Bureau to discuss latency requirements for entities to participate in the Commission’s high-cost universal service programs in the above-referenced dockets.¹ Hughes was represented by Jennifer A. Manner, Vice President, Regulatory Affairs, EchoStar, and undersigned counsel. Commission staff attending the meeting were Carol Matthey, Rodger Woock, Alexander Minard, Suzanne Yelen, Alec MacDonell, Cathy Zima, and Christopher Cook.

In the meeting, Hughes discussed its March 27, 2015 filing² in these dockets wherein it submitted a specific proposal for how the Commission can structure public interest obligations for Connect America Fund (“CAF”) Phase II recipients so as to ensure that they “offer sufficiently low latency to enable use of real-time applications, such as VoIP” while remaining consistent with the Commission’s commitment to technological neutrality.³ Specifically, Hughes March 27 Ex Parte proposes a web page loading time test for web browsing and an R-Factor test using the E-Model for voice in order to ensure that these “real-time applications” provide a

¹ See, e.g., *Connect America Fund, et al.*, WC Docket No. 10-90 *et al.*, Report and Order, Declaratory Ruling, Order, Memorandum Opinion and Order, Seventh Order on Reconsideration, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 7051 (2014).

² Letter from Jennifer A. Manner, EchoStar, to Marlene H. Dortch, FCC, WC Docket No. 10-90 (filed March 27, 2015) (“Hughes March 27 Ex Parte”).

³ *Connect America Fund, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17698 ¶ 96 (2011), *aff’d sub nom. In re: FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014) (“*USF/ICC Transformation Order*”).

Marlene H. Dortch, Secretary

May 11, 2015

Page 2

satisfactory consumer experience consistent with the public interest standard adopted in the *USF/ICC Transformation Order*. Hughes urged the Commission to adopt standards consistent with these tests for CAF Phase II.

Hughes also urged the Commission to move forward without delay to adopt rules for the Remote Areas Fund.

Respectfully submitted,

WILKINSON BARKER KNAUER, LLP

/s/

L. Charles Keller

cc: FCC attendees