

KELLEY DRYE & WARREN LLP
A LIMITED LIABILITY PARTNERSHIP

WASHINGTON HARBOUR, SUITE 400
3050 K STREET, NW
WASHINGTON, D.C. 20007-5108

(202) 342-8400

FACSIMILE
(202) 342-8451
www.kelleydrye.com

STEVEN A. AUGUSTINO
DIRECT LINE: (202) 342-8612
EMAIL: saugustino@kelleydrye.com

NEW YORK, NY
LOS ANGELES, CA
CHICAGO, IL
STAMFORD, CT
PARSIPPANY, NJ
BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

May 21, 2015

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 a presentation 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 Tuesday, May 19, 2015, InterCall met, via telephone, with Carol Matthey, Ryan Palmer, Chin Yoo and Carol Pomponio, all of the Wireline Competition Bureau. In attendance on behalf of InterCall were Lynn A. Stang, Esq., Vice President, Deputy General Counsel, West Corporation; and Steven A. Augustino of Kelley Drye & Warren LLP.

InterCall 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. InterCall discussed these goals in light of the FCC's classification analysis in the *Open Internet Order*, FCC 15-21, GN Docket No. 14-28 (rel. Mar. 12, 2015).

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").

KELLEY DRYE & WARREN LLP

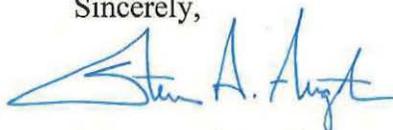
Ms. Marlene H. Dortch
May 21, 2015
Page 2

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. Therefore, for example, application of the determination cannot depend upon the service provider, the pricing methodology used by the service provider (*e.g.*, flat rated vs. per-minute pricing) or other products that the service provider offers (*e.g.*, whether the service provider offers audio on a stand-alone basis).

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. InterCall offered its view that, to the extent that features such as "active talker" displays are relevant, the Commission should clarify whether and how such features affect the classification determination.

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