

May 27, 2015

VIA ECFS

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

*Re: Applications of AT&T Inc. and DIRECTV for Consent to Assign or Transfer
Control of Licenses and Authorizations, MB Docket No. 14-90*

Dear Ms. Dortch:

On May 26, 2015, Dave Schaeffer, CEO of Cogent Communications, Inc. (“Cogent”), Robert N. Beury Jr., Chief Legal Officer of Cogent, and I had a teleconference with Gigi B. Sohn, Counselor to Chairman Wheeler. During the teleconference we discussed peering and interconnection issues raised in this proceeding.

We reiterated how AT&T-created congestion at interconnection ports has led to, and continues to cause, degraded broadband experiences for its customers and why the proposed DIRECTV merger—especially AT&T’s efforts to acquire a massive video distribution business—will match its existing ability to impair broadband Internet access with a vastly enhanced incentive to do so.¹ Accordingly, we emphasized the need for a clear, robust and enforceable interconnection condition as a prerequisite to a determination that the proposed transaction comports with the public interest.² In particular, Mr. Schaeffer underscored the need for a durable interconnection solution that not only solves congestion today, but ensures that as broadband usage continues on its upward trajectory congestion will not reappear in short order.

Please direct any questions regarding this correspondence to my attention.

Sincerely,

/s/ Robert M. Cooper

¹ See, e.g., Cogent Comments, MB Docket No. 14-90 (filed Sep. 16, 2014), at 12-15; Netflix Comments, MB Docket No. 14-90 (filed Sep. 16, 2014), at 23-25; Cogent Reply Comments, MB Docket No. 14-90 (filed Jan. 7, 2015), at 14-17; Netflix Reply Comments, MB Docket No. 14-90 (filed Jan. 7, 2015), at 3-10; see also Letter from Robert M. Cooper, Boies, Schiller & Flexner LLP for Cogent, to Marlene H. Dortch, FCC, MB Docket No. 14-90 (Apr. 30, 2015).

² See Letter from Robert M. Cooper, Boies, Schiller & Flexner for Cogent, *et al.* to Marlene H. Dortch, FCC, MB Docket No. 14-90 at 5-6 (May 12, 2015).