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June 12, 2015

VIA ECFS ***NOTICE OF EX PARTE***

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: ***Technology Transitions*, GN Docket No. 13-5; *AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket No. 12-353 *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete Incumbent LEC Legacy Regulations that Inhibit Deployment of Next-Generation Networks*, WC Docket No. 14-192; *IP-Enabled Services*, WC Docket No. 04-36**

Dear Ms. Dortch:

On June 10, 2015, on behalf of Granite Telecommunications, LLC, I discussed the application of the equivalent access requirement proposed in the *Technology Transitions NPRM*[1] to wholesale voice agreements with Daniel Kahn of the Wireline Competition Bureau.

First, I stated that it would be inappropriate to sunset the equivalent access requirement as applied to wholesale voice upon the completion of the pending special access rulemaking since that rulemaking does not address wholesale switching or wholesale shared transport, two key components of wholesale voice arrangements. If the Commission determines that the equivalent access requirement for wholesale voice should be "interim" in nature, it could either (1) seek comment on the most appropriate sunset trigger in a Further Notice of Proposed Rulemaking in the above-referenced proceedings and then promptly adopt such a trigger or (2) retain the requirement until such time as the Commission adopts rules governing the economic

[1] *See Technology Transitions et al.*, Notice of Proposed Rulemaking and Declaratory Ruling, 29 FCC Rcd 14968, ¶ 110 (2014) ("*Technology Transitions NPRM*") (proposing a rule under which an incumbent LEC that seeks to discontinue "a legacy service that is used as a wholesale input by competitive carriers" would be required to provide "competitive carriers equivalent access [to IP-based services] on equivalent rates, terms, and conditions").

regulations governing incumbent LEC wholesale voice services in the pending *IP-Enabled* proceeding.[2]

Second, I stated that the Commission need not, at least at this time, establish a methodology for determining the price of legacy wholesale voice services to which the incumbent LEC replacement IP offering must be equivalent. Parties to wholesale TDM-based voice agreements know the prices in their agreements, and those prices can be readily applied to IP replacement products if the incumbent LEC cooperates. Establishing the equivalent access requirement should therefore be sufficient to protect wholesale voice competition from harm caused by technology transitions. If this prediction proves to be incorrect, the Commission can reassess this issue as needed in the future.

Please do not hesitate to contact me if you have any questions or concerns regarding this submission.

Respectfully submitted,

/s/ Thomas Jones
Counsel for Granite Telecommunications, LLC

cc: Daniel Kahn

[2] *See IP-Enabled Services*, Notice of Proposed Rulemaking, 19 FCC Rcd 4863, ¶ 73 (2004) (seeking comment on whether and how economic regulations set forth in Title II should be applied to any class of IP-enabled service provider, including providers of IP voice services).