Brazoria Telephone Company

June 15, 2015

Hon. Ajit Pai, Commissioner
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: CC Docket No. 01-92, WC Docket Nos. 07-135, 10-90
Written *Ex Parte* Letter

Dear Commissioner Pai:

I am writing to ask for your assistance resolving a waiver petition that Brazoria Telephone Company ("Brazoria") filed in early 2014 in WC Docket No. 10-90. As further outlined in the petition, Brazoria sought a waiver pursuant to the Commission's rules to include certain billed, but not collected, revenues associated with Halo Wireless ("Halo") within Brazoria's baseline revenues.

Brazoria billed Halo for terminating traffic on its network during FY 2011. Brazoria vigorously pursued collecting these revenues from Halo in an arbitration before the Public Utility Commission of Texas as well as a complaint under state law, but Halo refused to pay these bills and ultimately declared bankruptcy before Brazoria could collect the revenues that the Texas Commission determined were owed by Halo.[1] Brazoria participated in the Halo bankruptcy proceeding and sought recovery of both pre-petition debt and post-petition administrative claims.[2] Unfortunately, this situation coincided with the time period when a critical future revenue calculation was being made based on *collected* baseline revenues.

Through the instant waiver petition, Brazoria has sought the same relief that the Commission has already afforded other similarly situated rate-of-return incumbent local exchange carriers.[3] The comment period on Brazoria's waiver petition ended more than 9

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[1] *See Petition of Eastex Telephone Cooperative, Inc. for Compulsory Arbitration with Halo Wireless, Inc. Under the Federal Telecommunications Act Relating to Interconnection Rates, Terms and Conditions,* Docket No. 40032 (Consolidated), Arbitration Award, (Sept. 25, 2012) ("*Texas Arbitration*").

[2] *See generally* Claims Register, *In re: Halo Wireless, Inc.*, Case No. 11-42464, Bkrtcy. E.D. Tex. (converted July 19, 2012) (including pre-petition claims and administrative expense (post-petition) claims filed by Brazoria).

[3] *See Connect America Fund et al.,* WC Docket No. 10-90 *et al.*, Order, FCC 14-121 (rel. Aug. 7, 2014) ("*TDS Waiver Order*").

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months ago on August 12, 2014 and no party objected to the petition. Three months ago, Chairman Wheeler's office responded to a letter from Congressman Lamar Smith in this matter indicating that "the Commission makes every effort to conclude its review as quickly and equitably as possible."

It has now been fourteen months since Brazoria filed its waiver request. The Company is simply asking the Commission complete its review of its petition and conditionally grant it consistent with the conditional approval afforded other similarly situated providers in August of 2014.

Thank you in advance for your prompt resolution of this matter. If you have any questions, please contact me at the below-listed telephone number.

Sincerely,

Gilbert Rasco
Vice President, Operations
(979) 798-2121