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July 27, 2015

VIA ECFS

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

Re: *Petitions for Rulemaking and Clarification Regarding the Commission's Rules Applicable to Retirement of Copper Loops and Copper Subloops, RM-11358; Technology Transitions Policy Task Force, GN Docket No. 13-5; Comment Sought on the Technological Transition of the Nations Communications Infrastructure, GN Docket No. 12-353; Special Access for Price Cap Local Exchange Carriers; WC Docket No. 05-25, RM-10593*
Notice of Ex Parte Meeting

Dear Ms. Dortch:

On July 23, 2015, Nancy Lubamersky, Vice President Public Policy of U.S. TelePacific Corp. d/b/a TelePacific Communications (“TelePacific”), and the undersigned met separately with (1) Daniel Alvarez, Legal Advisor to Chairman Tom Wheeler and Daniel Kahn, Deputy Division Chief (Competition Policy Division) of the Wireline Competition Bureau; (2) Travis Litman, Legal Advisor to Commissioner Jessica Rosenworcel and (3) Amy Bender, Legal Advisor to Commissioner Michael O’Rielly. Ms. Lubamersky participated in each meeting by phone. TelePacific expressed its support for the Technology Transitions Order and discussed the points outlined in the attached Last Mile Access handout, which was provided to the meeting participants.

TelePacific supports the transition to fiber but noted that based on its April 2015 survey, fiber is only available to 11% of its customers’ service locations. In the absence of fiber, TelePacific relies on copper loops to offer Ethernet over Copper (“EoC”) at speeds up to 100 Mbps and averaging nearly 20 Mbps on all new orders. If an ILEC were to retire copper feeder that TelePacific uses to offer a 50 Mbps EoC retail service to a rural health care provider, for example, or fail to restore a copper loop to service where fiber to that customer is not available, TelePacific’s customer may lose its current broadband service, be forced to choose a more expensive (DS-3) or lower bandwidth option (bonded T-1s at up to about 10 Mbps), or lose a

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competitive option altogether. Increasing to a minimum of six months' notice of copper retirement would give TelePacific and its retail customers more time to find alternative broadband service. Reiterating ILECs' obligation to restore a copper loop to serviceable condition unless and until it is retired will also provide customers without fiber the option of obtaining broadband service via EoC, from either incumbents or competitors.

TelePacific also expressed support for the requirement that an ILEC be required to undertake a "meaningful evaluation" to determine whether discontinuing a wholesale service would result in discontinuance of a retail service. Consultation with its wholesale customers should help the ILEC determine the impact of its service discontinuance. If an ILEC is required to file a Section 214 discontinuance application, TelePacific supports an affirmative showing that reasonably comparable replacements are available, rather than vague statements about competition generally or an officer certification lacking specific details.

Please contact the undersigned if you have any questions.

Respectfully submitted,

/s/ Tamar E. Finn

Tamar E. Finn
*Counsel for U.S. TelePacific, Corp. d/b/a TelePacific
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Attachment

cc: Via E-Mail
Daniel Alvarez
Daniel Kahn
Travis Litman
Amy Bender