



July 30, 2015

Ex Parte

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: *In the Matter of Technology Transitions* (GN Docket No. 13-5);
Special Access for Price Cap Local Exchange Carriers (WC Docket No. 05-25)

Dear Ms. Dortch:

On Thursday, July 30, 2015, Walter B. McCormick, Jr. and the undersigned of the United States Telecom Association (USTelecom) met separately with Commissioner Ajit Pai and his Chief of Staff Matthew Berry; Commissioner Jessica Rosenworcel and her Legal Advisor Travis Litman; and Commissioner Michael O’Rielly and his Legal Advisor Amy Bender. At each meeting, we discussed certain aspects of the above-referenced proceedings.

USTelecom expressed support for the Commission’s decision to move forward with the technology transitions proceeding, noting that 80 percent of the nation’s households have already migrated off of legacy networks. We stressed the benefits to consumers, businesses, and competition that transition will bring, including faster and more robust connectivity and access to the Internet, data, and applications. We also emphasized that transitions are well underway, compelled by consumers and businesses overwhelmingly choosing to adopt services that use new technologies; thus the nation will be better served by prompt Commission action in the technology transitions and special access proceedings.

We encouraged the adoption of a two-year limit on the reasonably comparable wholesale interim measure, in lieu of tying that requirement to the completion of the special access proceeding. We explained the importance of sending a message that the Commission has always placed a premium on facilities-based competition over less-sustainable competition models. Also, we stated our hope that the “reasonably comparable” standard will not be applied as an “equivalent” wholesale access standard.

We also expressed some concern about the proposal to define “*de facto*” copper retirement, and explained that our member companies deny that such conditions exist to any significant degree, adding that we see no need for additional regulation to address “*de facto*” copper retirement beyond what currently exists.

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With regard to the new customer notification requirement for planned copper retirements, we expressed our belief that the current proposal for a single notification is sufficient, since multiple notifications often lead to customer frustration and are not guaranteed to be more effective. The Commission also need not adopt additional requirements as to the type and format of customer notices, but should allow providers flexibility to determine how notifications should be made, consistent with existing Commission rules (e.g., 47 C.F.R. § 68.110(b), which requires written customer notification where changes are expected to render customer terminal equipment incompatible), and state and local requirements, as well as customer preferences. We reaffirmed our commitment to ensuring that all our members' customers get adequate notification, adding that notice about the availability of new and better services is a "good news" story that our members are happy to share.

Pursuant to Commission rules, please include this ex parte letter in the above-identified proceedings. Please do not hesitate to contact me should you have any questions regarding this filing.

Sincerely,



Diane Griffin Holland
Vice President, Law & Policy

Copy via e-mail to:

Commissioner Jessica Rosenworcel

Commissioner Ajit Pai

Commissioner Michael O'Rielly

Matthew Berry

Amy Bender

Travis Litman