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Ex Parte via ECFS

Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: *Universal Service Contribution Methodology, WC Docket No. 06-122*

Dear Ms. Dortch:

In 2013, the Commission removed language from its FCC Form 499-A instructions advising wholesale providers of interstate telecommunications that they should obtain “evidence of [their] use of the FCC’s website to validate the contributor status of the reseller” that provided them with a Universal Service Fund (USF) reseller certificate.¹ The Commission removed this language because it recognized that the appearance of a reseller on the Commission’s website as a current USF contributor does not confirm that it is contributing on the revenues associated with a specific service.² This year, AT&T has received USF reseller certificates from resellers that do not appear on the Commission’s website as current USF contributors.³ While AT&T and other wholesale providers may remain “free to check the Commission’s website to ascertain whether a carrier customer is a contributor,”⁴ it is not at all clear that they are expressly authorized by the Commission to reject certificates from such resellers. As the Commission considers changes to its FCC Form 499-A instructions, AT&T suggests that the Commission make clear in the next

¹ *Wireline Competition Bureau Releases 2013 Telecommunications Reporting Worksheets and Accompanying Instructions*, WC Docket No. 06-122, Public Notice, DA 13-306 (rel. March 1, 2013) (*Public Notice*).

² *Id.* at n.38.

³ The annual USF reseller exemption certificate that AT&T provides to its resellers to complete permits resellers to self-identify as non-direct USF contributors that resell to other resellers that *are* direct USF contributors. See 2015 FCC Form 499-A Instructions at n.63. AT&T is not addressing this category of resellers in this *ex parte* letter.

⁴ *Public Notice* at 9.

version of the instructions that a wholesale provider may reject a reseller's USF exemption certificate if the wholesale provider elects to check the Commission's website and confirms that the reseller is not listed as a current USF contributor.⁵ While being listed as a current USF contributor on the Commission's website cannot guarantee contributions are being made on the specific revenues in question, it at least provides some assurance that the provider is contributing in some manner to the USF.

Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Cathy Carpino

Cathy Carpino

cc: Chin Yoo
Regina Brown

⁵ AT&T believes this check should be voluntary so that an overzealous Universal Service Administrative Company auditor would not seek to reclassify a wholesale provider's revenues if that provider could not provide proof that it had reviewed a reseller's USF contribution status on the Commission's website when it received the reseller's USF exemption certificate.