



The voice of mid-size communications companies

October 29, 2015

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

Re: *Ex Parte* Notice in WC Docket Nos. 11-42, 10-90, 09-197, 05-25; GN Docket No. 13-5; MB Docket Nos. 15-216, 10-71; RM-11358, RM-10593

Dear Ms. Dortch:

On October 28, 2015, representatives of ITTA and certain of its member companies met with Gigi Sohn, Counselor to Chairman Wheeler, in conjunction with ITTA's 2015 membership meeting, where we discussed issues pending before the Commission in its proceedings relating to Lifeline, video, technology transitions, and the Connect America Fund.¹

We noted the growing pressure on the Universal Service Fund (USF) as the Commission considers expanding the scope of services supported by USF programs. We urged the Commission to undertake USF contribution reform and broaden the base of contributors before taking any further steps to modify the Lifeline program to include support for broadband services.²

We expressed support for changes to the Commission's rules that would ensure affordable access to video content on reasonable terms and conditions. We indicated that the Commission should look closely at the lack of transparency in programming negotiations as part

¹ The following individuals attended the meeting: Genny Morelli, Paul Raak, and Micah Caldwell of ITTA; Melissa Newman of CenturyLink; Pat Rupich of Cincinnati Bell; Matt Dosch and Greg Lunsford of Comporium; Mike Shultz of Consolidated Communications; Pat Morse of FairPoint; Jennifer Schneider of Frontier; Ken Pfister of Great Plains Communications; Trey Judy of Hargray; and Kevin Hess and Bob DeBroux of TDS Telecom.

² See *In the Matter of Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service support, Connect America Fund*, WC Docket Nos. 11-42, 09-197, 10-90, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, FCC 15-71 (rel. June 22, 2015).

of its ongoing review of its video policies.³ We also urged the Commission to vote on its order proposing to repeal the program exclusivity rules as soon as practicable.⁴

We discussed the Commission's *Further Notice* in the technology transitions proceeding, which seeks comment on the adoption of specific criteria for evaluating the adequacy of alternative services in connection with Section 214 discontinuance applications.⁵ We voiced our concern that the Commission's proposal would require carriers to demonstrate the adequacy of alternative services provided by third parties when applicants would not know or be in a position to determine whether each of the detailed criteria proposed by the Commission are met.

Finally, we discussed the Commission's efforts to reform current rate-of-return cost recovery mechanisms and emphasized the importance of moving forward with a voluntary, model-based cost recovery plan for rate-of-return carriers in an expeditious manner.⁶

Please do not hesitate to contact the undersigned with any questions regarding this submission.

Respectfully submitted,



Micah M. Caldwell
Vice President, Regulatory Affairs

cc: Gigi Sohn

³ See, e.g., *Implementation of Section 103 of the STELA Reauthorization Act of 2014, Totality of the Circumstances Test*, Notice of Proposed Rulemaking, MB Docket No. 15-216, FCC 15-109 (rel. Sep. 2, 2015).

⁴ See Tom Wheeler, "Upgrading Media Rules to Better Serve Consumers in Today's Video Marketplace," FCC Blog, available at: <https://www.fcc.gov/blog/upgrading-media-rules-better-serve-consumers-today-s-video-marketplace> (Aug. 12, 2015).

⁵ See *In the Matter of Technology Transitions; Policies and Rules Governing Retirement Of Copper Loops by Incumbent Local Exchange Carriers; Special Access for Price Cap Local Exchange Carriers AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, GN Docket No. 13-5, WC Docket No. 05-25, RM-11358, RM-10593, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 15-97 (rel. Aug. 7, 2015)

⁶ See *In the Matter of Connect America Fund*, WC Docket Nos. 10-90, *et al.*, Report and Order, Declaratory Ruling, Order, Memorandum Opinion and Order, Seventh Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 14-54 (rel. June 10, 2014).