



November 4, 2015

Ex Parte

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

Re: Petition of USTelecom for Forbearance Under 47 U.S.C.
§160(c) from Obsolete ILEC Regulatory Obligations that
Inhibit Deployment of Next-Generation Networks
(WC Docket No. 14-192)

Dear Ms. Dortch:

On Friday, October 30, 2015, I met with Stephanie Weiner, Senior Legal advisor to Chairman Wheeler. We discussed USTelecom's pending forbearance petition referenced above. As outlined in our forbearance petition, we discussed that continued maintenance of legacy regulatory treatment of "incumbent" local exchange companies funnels investment away from broadband and into legacy services, in contravention of the Commission's policy goals and the market demand of consumers and businesses.¹ Given the current market dynamics, with "incumbent" LECs providing voice service to roughly 20% of households and serving 50% of business voice lines, and the cable industries dominant position in broadband, competition and consumers would be served best by removing the legacy regulatory handicaps identified in our forbearance petition. In addition, we discussed the many overlapping layers of FCC regulation that would remain on "incumbent" LECs should our forbearance petition be granted in its entirety, as illustrated in the attached chart.

We also discussed the request in our petition that the Commission forbear from enforcing rules that prevent "incumbent" LECs from offering discounts on special access services to specific customers. The substance of our discussion was laid out in an ex parte filed by me on October 30, 2015, in the forbearance docket referenced above.

¹ See, Prepared Remarks of FCC Chairman Tom Wheeler, Silicon Flatirons University of Colorado Law School, Boulder, Colorado, Feb 10, 2014 at p. 5.

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Please contact the undersigned should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan Banks". The signature is written in a cursive style with a large, prominent "J" and "B".

Jonathan Banks
Senior Vice President, Law & Policy

Attachment

c: Stephanie Weiner

7 ILEC Circles of Overlapping FCC Regulation

