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November 20, 2015

Via ECFS

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

Re: WC Docket No. 14-228, Notice of Ex Parte Presentation

Dear Ms. Dortch:

The CenturyLink LECs, by counsel and on behalf of the broad coalition of local exchange carriers that filed a Petition for Declaratory Ruling on November 10, 2014 in the above-referenced docket (collectively, the “LEC Coalition”),¹ hereby submit for the record the attached Memorandum Opinion and Order (“MO&O”), issued earlier this week by the U.S. District Court for the Northern District of Texas, which is presiding over the scores of lawsuits that have been consolidated in a multidistrict litigation proceeding to address the permissibility of assessing access charges on intraMTA traffic exchanged between a local exchange carrier (“LEC”) and an interexchange carrier (“IXC”).

As set forth more fully in the MO&O, the judge presiding over the litigation held that LECs can charge IXCs “access fees for access services that the LECs provide to the IXCs to enable them to exchange interstate wireless intraMTA calls -- that is, interstate wireless calls that originate and terminate within the same Major Trading Area.”² He therefore granted the defendants’ motion and dismissed the plaintiff IXCs’ federal law claims with prejudice.³ The judge also concluded that the plaintiff IXCs “have failed to plead plausible claims that the LEC defendants cannot charge access fees under filed state tariffs.”⁴

¹ A complete list of the entities included in and represented by the LEC Coalition can be found in the Petition for Declaratory Ruling.

² MO&O at 2.

³ *Id.*

⁴ *Id.* The judge granted the plaintiff IXCs’ leave to replead their state law claims, though it is not clear whether they will do that.

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The MO&O is significant because it affirms the relief being sought by the LEC Coalition in its Petition for Declaratory Ruling.

Please contact the undersigned if you have any questions concerning this submission.

Respectfully submitted,

/s/

Yaron Dori

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