

January 12, 2016

VIA ECFS

EX PARTE NOTICE

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

Re: *Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25 and RM-10593*

Dear Ms. Dortch:

On January 8, 2016, the undersigned from INCOMPAS met with Jon Sallet, Claude Aiken, Deena Shetler, and Eric Ralph.

In the meeting, the points made in the INCOMPAS *ex parte* filing regarding the scope of the Commission granted forbearances were reiterated.¹ Specifically, the forbearances that were granted by the Commission do not apply to all incumbent LEC packet-based special access services. The relief granted by the Commission only applies to the petitioners' services in existence at the time of the petition, as offered at the time, which fell within the category of services listed in the petitions. It was also noted that, even with regard to services covered by the grants, the forbearances that were granted by the Commission do not preclude the adoption of new regulations pursuant to the Commission's statutory authority.²

Respectfully submitted,

/s/ Karen Reidy

¹ Letter of Karen Reidy, INCOMPAS to Marlene Dortch, FCC, WC Docket No. 05-25, RM-10593, dated Dec. 1, 2015.

² *See*, 47 U.S.C. §§ 201 and 202 [“The Commission may prescribe such rules and regulation as may be necessary in the public interest to carry out the provisions of this Act,” which includes ensuring just, reasonable and nondiscriminatory rates terms and conditions for dedicated services.]

cc: Jon Sallet
Claude Akin
Deena Shetler
Eric Ralph