

April 22, 2016

**BY ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Appropriate Framework For Broadband Access To the Internet Over Wireline Facilities*, CC Docket No. 02-33; *Connect America Fund*, WC Docket No. 10-90: Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

On Monday, April 18, 2016, Michael Skrivan of FairPoint Communications, Inc. (“FairPoint”) and I spoke by telephone conference call with Alex Minard and Katie King of the FCC’s Wireline Competition Bureau. The topic of the meeting was FairPoint’s pending petition for a declaratory ruling in WC Docket No. 10-90 to restore LSS-related support amounts to FairPoint’s ICC Transitional Support, for its rate-of-return carriers in the 15 states where model-based support has been accepted under Connect America Fund (“CAF”) Phase II, retroactive to January 1, 2015, when CAF Phase I frozen support was discontinued in those states. In response to discussions between FairPoint and the Bureau in mid-March, FairPoint examined whether there arguably could be any duplicate recovery of LSS-related amounts between CAF model-based support and ICC Transitional Support, and presented its findings on this call. FairPoint’s analysis is presented in the attached slide presentation.

FairPoint continues to believe that NECA is not justified in withholding approximately \$4.2 million per year from FairPoint’s eligible recovery since January 1, 2015. If any reduced support is justified, it is a far lower amount. Therefore, FairPoint requests that the Commission or the Bureau instruct NECA to correct its tariff and restore FairPoint’s funding accordingly.

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FairPoint respectfully requests that this notice be accepted in satisfaction of Section 1.1206 of the Commission's rules. Please direct any questions concerning this filing to me.

Very truly yours,

Karen Brinkmann  
*Counsel for FairPoint*

Enclosure

cc: Katie King  
Alex Minard