

*The Voice of Rural Telecommunications*



March 12, 2001

Ms. Magalie R. Salas, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W., TW-A325  
Washington, D.C. 20554

Re: Ex Parte Notice  
CC Docket No. 96-98, CC Docket No. 99-68

Dear Ms. Salas:

On Monday, March 12, 2001, Deena Shetler and Sarah Whitesell, Legal Advisors for Commissioner Tristani met with Daniel Mitchell and Scott Reiter of the National Telephone Cooperative Association. We discussed issues in the above-referenced proceedings related to reciprocal compensation and Internet service provider (ISP) bound traffic. A document summarizing NTCA's positions on issues concerning reciprocal compensation was provided at the meeting and the focus of discussion. Enclosed is a copy of the summary provided at the meeting.

In accordance with the FCC's rules, an original and two copies of this letter are being filed with the Secretary's office. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

/s/ Daniel Mitchell  
Daniel Mitchell

cc: Deena Shetler  
Sarah Whitesell



## National Telephone Cooperative Association

March 12, 2001, Ex Parte Presentation on Reciprocal Compensation with Deena Shetler and Sarah Whitesell, Legal Advisors to Commissioner Tristani.

Summary of NTCA's positions concerning reciprocal compensation issues:

- Immediate actions by the Commission should be limited to issues raised in the NPRM in Docket No. CC 99-68 and by DC Circuit in its remand of the Commission's Reciprocal Compensation Declaratory Ruling.
- The initial decision classifying Internet bound traffic as interstate is proper.
- The Commission has jurisdiction and should establish a mechanism for recovery of the costs associated with this traffic.
- Internet bound traffic should also be treated as interstate for separations purposes.
- If the Commission decides on a transition to "bill and keep," it should limit its decision to Internet bound traffic.
- Decisions involving other inter-carrier compensation issues should be reserved until the forthcoming NOI is complete:
  - 1) CMRS – LEC interconnection arrangements should be left undisturbed.
  - 2) LEC – LEC agreements covered by § 251(b)(5) should continue to be governed by interconnection agreements negotiated between parties with no mandatory "bill and keep" for this traffic.