

RURAL TELECOMMUNICATIONS GROUP

advocate of rural wireless telecommunications providers

*1000 Vermont Avenue, NW, 10th Floor
Washington, DC 20005*

To: Secretary, Federal Communications Commission

From: Caressa D. Bennet, General Counsel
Gregory W. Whiteaker, Counsel
Kenneth Johnson, Legislative and Regulatory Director

Date: October 24, 2002

Re: *Ex Parte* Communication – October 23, 2002

In re Petition for Rulemaking to Define “Captured” and “New”
Subscriber Lines for Purposes of Receiving Universal Service
Support Pursuant to 47 C.F.R. § 54.307 et seq.
RM No. 10522, CC Docket No. 96-45

In re Developing a Unified Intercarrier Compensation Regime,
Sprint Petition for Declaratory Ruling Regarding the Rating
and Routing of Traffic by ILECs
CC Docket No. 01-92

On October 23, 2002, Caressa D. Bennet, Gregory W. Whiteaker, Kenneth Johnson, and Kent Larsen of Bennet & Bennet, PLLC, representing the Rural Telecommunications Group (“RTG”), participated in a telephone meeting with William Kunze, Rose Crellin, Blaise Scinto, and Jared Carlson of the Federal Communications Commission’s (“FCC” or “Commission”) Wireless Telecommunications Bureau (“WTB”), and Stephen Morris of the FCC’s Wireline Competition Bureau. Also representing RTG on the call were Jim Wickham of Artic Slope Telephone Association Cooperative, Art Prest of Alpine PCS, Larry Lueck of Nsight Communications, and Sandy Bromenschenkel of Cellular Mobile Systems of St. Cloud.

In the NTCA universal service proceeding, RTG asked about the status of the proceeding and emphasized its support and the general support on the record for the proceeding to be incorporated in one unified universal service proceeding. RTG also discussed its comments filed September 23, 2002 in this proceeding.

In the Sprint intercarrier compensation proceeding, RTG emphasized the need for the Commission to clarify that all telecommunications carriers have a duty to negotiate in good faith to resolve interconnection and intercarrier compensation issues. RTG noted that some rural

telephone companies had taken the position that, because they are not subject to the requirements of Section 251(c) of the Act, they are not obligated to negotiate in good faith. Similarly, some CMRS carriers have taken the position that because they are not LECs, they are not obligated to respond to a request for interconnection or to negotiate in good faith. RTG believes that notwithstanding the specific negotiation language contained in Section 251(c), numerous other provisions of the Act, including Sections, 201, 251(b), and 332 require that all interconnecting carriers negotiate in good faith.

Sincerely,

/s/

RURAL TELECOMMUNICATIONS GROUP

Caressa D. Bennet, General Counsel

Gregory W. Whiteaker, Counsel

Kenneth C. Johnson, Regulatory Director

Rural Telecommunications Group

Cc: William Kunze
Rose Crellin
Blaise Scinto
Jared Carlson
Stephen Morris

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