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December 6, 2002

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DEC - 6 2002

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: CC Docket No. 01-92
Ex Parte Letter**

Dear Ms. Dortch,

Our firm has been requested by our colleagues at Comingdeer, **Lee & Gooch** to transmit for filing with the Commission the attached ex parte letter on behalf of Central Oklahoma Telephone Company. The letter addresses matters pertaining to the Commission's unified intercarrier compensation proceeding in CC Docket No. 01-92.

Please contact the undersigned if there are any questions regarding this matter.

Sincerely,


John Kuykendall

- cc: Chairman Michael Powell
- Commissioner Kathleen Abernathy
- Commissioner Michael J. Copps
- Commissioner Kevin Martin
- Commissioner Jonathan S. Adelstein

Attachment

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List ABCDE



Central Oklahoma Telephone Co.

223 Broadway • PO Box 789 • Davenport, OK 74026
918.377.2241 • 800.252.8854 • FAX: 918.377.2506

Www.cotc.net • staff@cotc.net

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DEC - 6 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

November 13, 2002

FCC Chairman
Michael Powell
445 12th Street SW
Washington, DC 20554

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Dear Mr. Powell,

We operate a small rural telephone company in central Oklahoma. We serve about 2600 lines in seven small communities in Lincoln and Okfuskee counties. Our state operating revenues consists of access charges billed to interexchange carriers, local service and revenues billed to our end users, and state and federal funds necessary to help maintain reasonable rates to end users and to help meet the company's revenue requirements. In accordance with orders issued by the Oklahoma Corporation Commission, the small rural telephone companies in Oklahoma are access providers; therefore, they do not provide any retail toll services to end users located within our state certificated boundaries. Wireless carriers have made the choice to not directly connect to our network but rather connect to the RBOC LATA tandem and have contracted with and pay the RBOC to route mobile to land traffic to our networks. It is a long distance toll call for our customers to call any wireless carrier. When one of our customers makes a land to mobile call, because we are an access provider and have implemented the mandated equal access requirements, that call is handled by the customer's interexchange carrier. All of our customers are in the Oklahoma City MTA and all of our interexchange carriers switch out of the Tulsa toll center in the Tulsa MTA. All toll calls including intraMTA wireless calls are handled by the customer's interexchange carrier of choice. My company bills the interexchange carrier access, in accordance with our interstate and intrastate tariffs as appropriate, the toll provider bills the retail revenues to their customer. It is our opinion that the toll provider should be responsible for any termination charges and or transport charges associated with their traffic. In this case the toll provider is the originating carrier and is responsible for payment of all transport and termination charges to other LEC's and to wireless providers on whose network the call terminates.

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We believe **our** interpretation is consistent with the law the FCC's rules and orders that the access regime principles and the reciprocal compensation principles of Section 251(b)(5) do not apply to the same traffic. Since the interexchange land to mobile traffic is handled in accordance with the access regime that traffic would not fall within the reciprocal compensation regime, as such then the wireless carrier terminating the interexchange traffic should look to interexchange carrier for any compensation and not to the LEC.

Please confirm to us that our interpretation and application of the access regime and reciprocal compensation principles to traffic as described above is consistent with FCC rules, orders and the law.

I **look** forward to your prompt response, thank you.

Sincerely,

A handwritten signature in black ink that reads "Steve Guest". The signature is written in a cursive, flowing style.

Steve Guest, President
Central Oklahoma Telephone Co.

cc: Ron Comingdeer