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December 18, 2003

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: WC Dockets 03-211, 03-45, 02-361

Dear Ms. Dortch:

On Monday, December 12, 2003, John Jones of CenturyTel, Inc. and I met with the individuals listed below, all of the Wireline Competition Bureau, concerning the above-captioned dockets. CenturyTel made the points described on the attached briefing sheet, and summarized the arguments made in its Comments in Docket 03-211 filed October 27, 2003 with the Commission. The following additional CenturyTel personnel joined the meeting via conference call: Jeffrey Glover, Guy Miller, Tim Walden, and Scott Miller. Please direct any questions concerning this matter to me.

Very truly yours,



Karen Brinkmann

Enclosure

cc: Tamara Preiss, Jennifer McKee (Pricing Division);
Diane Law Hsu, Elizabeth Mumaw (Telecommunications Access Policy Division);
Russ Hanser, Tom Navin, Cathy Carpino, Gina Spade, Julie Veach, Christi Shewman
(Competition Policy Division)

VOICE OVER INTERNET PROTOCOL & OTHER PACKET-SWITCHED PLATFORMS
CENTURYTEL, INC.
DECEMBER 15, 2003

- I. IP Telephony Must Be Analyzed Under Current Definitions of Telecommunications Service and Information Service
 - A. Transmission of information of the end user's design and choosing between points designated by the end-user without change in form or content
 - 1. Conversion of the signal to IP, in itself, does not transform the nature of the *service* offered to the public, any more than the creation of electronic "touch tones" or the conversion from analog to digital -- The technology used is transparent to the end-user
 - 2. There is no "net protocol conversion to the end user" in this service
 - 3. Whether the signal is converted in CPE or in the "network" of the provider is irrelevant to the analysis of what *service* is being offered
 - 4. IP Telephony is *not* "Internet *access*" service -- there is no information retrieval, storage, processing, or other manipulation or enhancement
 - B. The provider holds itself out offering telecommunications services to the public
 - C. Customers can use ordinary CPE, reach NANP telephone numbers
 - D. The service uses the local loop and switching facilities on the PSTN
- II. Providers of Comparable Services Should Be Subject to Comparable Regulation
 - A. Access charges apply to all inter-exchange services that use LEC switching
 - B. National infrastructure considerations (NRIC, CALEA, E911) demand a uniform approach
 - C. Packet-switched services have never enjoyed special classification -- The provision of leased lines to Internet access service providers is still a telecommunications offering -- If the Commission reclassifies IP-based services, it must treat all providers the same
- III. The Decision in *Vonage Holdings Corp. v. Minn. PUC* Does Not Bind the FCC
 - A. The Commission was not a party to the Minnesota case, and no FCC order was under review by the Minnesota federal district court
 - B. This Commission is the expert agency charged with interpretation of the federal Communications Act, as amended, and should resolve the issues raised by *Vonage* in a comprehensive rulemaking