



May 23, 2005

Honorable Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals II  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Comments of CommPartners, LLC in the Matter of Developing a  
Unified Intercarrier Compensation Regime, CC Docket No. 01-92

Dear Secretary Dortch:

Enclosed for filing please find the Comments of CommPartners, LLC in the above-referenced proceeding. Should you have any questions on these Comments, please call me at (202) 250-3413.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristopher E. Twomey', written over a light grey background.

Kristopher E. Twomey  
Regulatory Counsel to CommPartners, LLC

Enclosures

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
Developing a Unified Intercarrier ) CC Docket No. 01-92  
Compensation Regime )

COMMENTS OF COMMPARTNERS, LLC

Introduction

CommPartners, LLC (“CommPartners”) is an emerging competitive local exchange carrier based in Las Vegas, Nevada. CommPartners is an Internet protocol- based (“IP”) communications company in the midst of building a national competitive local exchange network around a robust IP core. The intent of CommPartners is to provide the “bridge” network to efficiently and economically move traffic between public and private IP networks and the public switched telephone network. Access charges, both figuring and paying them when required by law, have been an assumed, necessary evil to beginning this venture. CommPartners applauds the Commission on re-opening this docket and seeking a new access charge system that will serve the interests of 21<sup>st</sup> century consumers rather than artificially sustain inefficient former monopolies.

Summary of Position

CommPartners believes that, however this Commission decides on the substantive issues, the driving force should be simplicity and logic. In the current system, carriers are forced to develop expensive, time –consuming processes in order to properly pay their proper

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access charges. Incredibly, the convoluted system rewards arbitrage by new entrants who do not create true, viable facilities-based competition. The system simultaneously serves to protect the interest of the most entrenched incumbent local exchange carriers. From any view, the system is broken and should not just be reworked, but should be scrapped in its entirety.

With simplicity and logic in mind, CommPartners will keep its initial comments in this docket short. CommPartners suggests the Commission consider the following basic positions in creating a solution to this admittedly vexing problem:

- State commissions should maintain some authority to ensure that rural carriers are receiving necessary revenues to maintain operations;
- Any decision should be legally sustainable. The Commission should, therefore, be cautious of total federal preemption of state commissions in this area;
- The mechanism by which incumbent rural local exchange carriers are subsidized, however, should only be partially related to a new access charge system;
- Rural ILECs should be supported through transparent funding mechanisms that make all subsidies explicit, as the Telecommunications Act requires;
- State and federal universal service programs should be solely responsible for supporting the local rate structure for rural customers, not access charges;
- If any charges are placed on carriers for terminating access, those charges should be based on the cost of providing that service, not as another bucket of revenue for incumbent carriers;
- Originating access charges should be completely eliminated;
- Commercially negotiated agreements should not be the primary method for determining access charges for the simple reason that competitors have no leverage in such negotiations;
- The current call classifications should be abandoned altogether to be replaced by a single designation;
- The simplest way to solve this problem is to adopt a full bill and keep system;
- The greater the simplicity and logic, the greater impetus for competitors to enter the market;
- There can be no consensus in the industry in this docket as there are too many divergent interests. As such, the Commission should forcefully act and provide a clear, legally sustainable solution to provide market stability and return investment to the industry.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kristopher E. Twomey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kristopher E. Twomey  
Counsel to CommPartners, LLC

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