



Judy Sello
Senior Attorney

Room 3A229
One AT&T Way
Bedminster, NJ 07921
Tel.: 908-532-1846
Fax: 908-532-1218
Email: jsello@att.com

October 28, 2005

Ex Parte

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: *In the Matter of Regulation of Prepaid Calling Card Services*
WC Docket No. 05-68

Dear Ms. Dortch:

AT&T Corp. ("AT&T") submits this letter in response to the *ex parte* submission filed by General Communication, Inc. ("GCI") in this proceeding on October 19, 2005. While many of the matters raised by GCI have already been addressed in prior correspondence,¹ AT&T is constrained to respond to one item raised by GCI to clarify the record.

In its third point, GCI (at 4) states that it "disagrees with AT&T's proposal that all minutes of calls where 'there is no terminating leg of a call' between the calling card platform to a called party be treated as interstate." See AT&T Certification *ex parte* at 4, fourth full paragraph. In particular, GCI highlights the fact that it believes that there are many prepaid card call attempts that do not result in completed calls, and that AT&T's proposal would jurisdictionalize all such calls as terminating at the platform, thereby overstating interstate calls.

Accordingly, GCI proposes that "where sufficient call data is available to determine the jurisdiction of the call (*i.e.*, the calling and called numbers), then access for the appropriate

¹ See *Ex parte* Letters from Judy Sello, AT&T, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 05-68, filed July 15, 2005 ("Certification *ex parte*") and October 3, 2005.

jurisdiction is determined on that basis; when insufficient call data is available, then . . . PIU . . . should be applied to ratio the traffic between jurisdictions.”

GCI’s contention that PIU should be applied to calls with one-leg only that terminate at the platform would overstate intrastate calling. In those instances where there is no attempt to place an intrastate or interstate call from the platform, there is no basis for allocating originating access based on PIU. This would result in some substantial portion of communications with the out-of-state platform itself (listening to advertisements, interacting with available information, checking card balances, *etc.*) being billed as intrastate. If a caller has administrative functions to perform at the platform, and there is no discernable outbound call or call attempt, then whenever the caller and the platform are in different states, the call should be treated as an *interstate* call, based on its *endpoints*.

AT&T agrees with GCI in one respect and, to the extent that its July 15 Certification *ex parte* suggested otherwise, AT&T hereby clarifies its position. For those calls, where there is an outbound call attempt to make an end-to-end intrastate call via the platform, providers should pay intrastate originating access for the duration of the call attempt. Accordingly, AT&T respectfully requests that its July 15 Certification *ex parte* hereby be deemed amended to adopt this change.

One electronic copy of this Notice is being submitted in accordance with the Commission’s rules.

Sincerely,

/s/

Judy Sello

cc: Tom Navin
Tamara Preiss
Steve Morris