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*A5691.0590*

February 16, 2006

**By Electronic Filing**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W., TW-A325  
Washington, DC 20554

**Notice of  
Ex Parte Presentation**

**Re: CC Docket No. 96-128**

Dear Ms. Dortch:

On February 14, 2006, Ruth Jaeger, President of APCC Services, Inc., and Albert H. Kramer and Robert F. Aldrich of Dickstein Shapiro Morin & Oshinsky, on behalf of APCC Services and the American Public Communications Council ("APCC"), met with the following staff of the Wireline Competition Bureau: Competition Policy Division Deputy Chief William Dever and Carol Simpson, Denise Coca, and Darryl Cooper of the Bureau staff.

We discussed the problems posed for the payphone compensation process when toll-free numbers dialed at payphones are translated into POTS numbers. These calls ("POTS-converted calls") are then routed to competitive local exchange carriers ("CLECs") and terminated to the POTS numbers as intraLATA or local calls. The CLECs in turn carry the calls to a reseller switch where the caller uses a prepaid card to place an interLATA or international call.

We discussed the failure of the CLECs to either pay compensation to payphone service providers ("PSPs") for POTS-converted calls or to provide information identifying resellers to whom such calls are routed. We explained that CLECs are liable to pay compensation for POTS-converted calls that they complete, and absent a CLEC's providing information identifying a reseller to whom the CLEC routes a POTS-converted call, the CLEC is presumed to be the Completing Carrier and liable to pay for such calls pursuant to 47 CFR § 64.1300. We urged the Commission to clarify these points.

Marlene H. Dortch, Secretary  
February 16, 2006  
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During the discussion we referred to documents that were previously submitted in this docket describing the problems with POTS-converted calls.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert F. Aldrich", written in a cursive style.

Robert F. Aldrich

cc: William Dever  
Carol Simpson  
Denise Coca  
Darryl Cooper