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April 5, 2006

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Filed Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

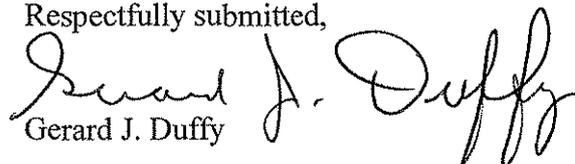
**RE: Notice of Ex Parte Presentation
CC Docket No. 01-92**

Dear Ms. Dortch:

On Tuesday, April 4, 2006, Jack Rhyner, Derrick B. Owens and Gerard J. Duffy representing the Western Telecommunications Alliance ("WTA") met with Dana Shaffer of Commissioner Deborah Taylor Tate's Office to discuss the phantom traffic issue.

The WTA representatives indicated WTA's general support for the phantom traffic proposals recently submitted by the Midsize Carrier Coalition, particularly proposed Commission requirements for clear labeling of all traffic for identification and billing purposes. The WTA representatives also discussed options for timely and effective enforcement by the Commission of traffic labeling requirements, including: (a) allowing carriers to block unlabeled and mislabeled traffic; (b) imposing substantial forfeitures for unlabeled and deliberately mislabeled traffic; (c) adopting streamlined complaint proceedings; and (d) issuing a clear statement (for use in judicial proceedings) that failure to label traffic, and deliberate mislabeling of traffic, constitute unjust and unreasonable carrier practices that violate Section 201 of the Communications Act.

Respectfully submitted,


Gerard J. Duffy

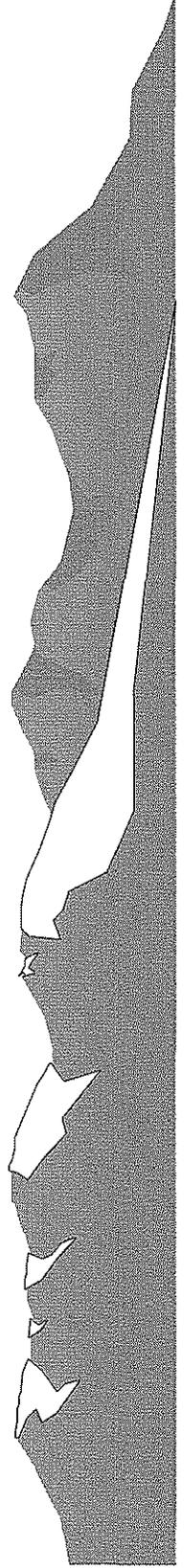
cc: Dana Shaffer, Esquire



W E S T E R N
TELECOMMUNICATIONS
A L L I A N C E

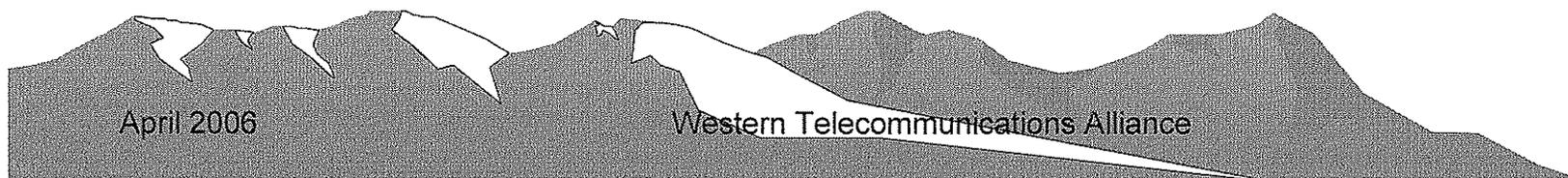
Phantom Traffic Presentation to the
Federal Communications Commission

April 4, 2006



Western Telecommunications Alliance

- Dedicated to promoting affordable telecommunications in rural West
 - 250+ small rural telecommunications companies
 - Operating in 24 states - all West of the Mississippi River
- Created through 2003 merger of Rocky Mountain Telephone Association and Western Rural Telephone Association
- WTA members average less than 3000 access lines per company, and less than 500 lines per exchange
 - Serve some of the most remote and high cost areas of the country
 - Policy decisions critical to WTA members and the rural Americans they serve



Phantom Traffic – What's At Stake?

- Concern for network investment
 - About \$3.7 billion in lost ILEC revenue annually
 - For rural LECs, a significant proportion of revenues (est. about 10-15%)
- Additional equipment to detect phantom traffic would cost approx. \$15K *per switch*
- Delay is very costly

Recommended Commission Action

- WTA supports the compromise proposal submitted by Mid-Size Carriers that urges Commission to adopt rules that:
 - Require clear labeling of all traffic for adequate billing purposes
 - Establish clear set of obligations for intermediate carriers
 - Establish an effective and timely dispute resolution process
 - Minimize arbitrage opportunities by identifying technical infeasibilities early