



**Qwest**  
607 14<sup>th</sup> Street NW, Suite 950  
Washington, DC 20005  
Phone 202.429.3120  
Fax 202.293.0561

**Melissa E. Newman**  
Vice President-Federal Regulatory

*EX PARTE*

*Filed electronically via ECFS*

May 16, 2006

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

*RE: In the Matter of AT&T Corp. Petition for Declaratory Ruling Regarding Enhanced Prepaid Card Services, WC Docket No. 03-133.*

Dear Ms. Dortch:

On May 16, 2006, Melissa Newman and Lynn Starr, in person, and Robert McKenna, by phone, all of Qwest, met with Scott Deutchman, Legal Advisor to Commissioner Copps, to discuss prepaid calling cards.

The purpose of the meeting was to explain Qwest's position on the issue of whether the Commission has the equitable authority to forgive certain purchasers of interstate access, who avoided paying the lawful tariffed rate, from making such payments at this time. It is Qwest's view that when a customer uses a tariffed interstate service, the customer has an obligation to pay the tariffed rate whether the customer was confused about the rate or not.

If a carrier/customer used an incumbent local exchange carrier's facilities in a manner that required payment under that carrier's filed interstate access tariffs, the question is not what the carrier/customer thought the tariff meant or required, but what the tariff actually did require. The question is a simple matter of a duly-incurred and lawfully-owing debt. There is no basis upon which the Commission could act to erase such a debt if it was premised on a lawful tariff.

Qwest will file a more lengthy legal analysis on this point.

Sincerely,

/s/ Melissa E. Newman

Copy via email to:  
Scott Deutchman