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**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Re: WC Docket No. 06-100 and CC Docket No. 01-92; Core Communications, Inc.'s Response to National Exchange Carrier Association, Inc., the National Telecommunications Cooperative Association, and the Independent Telephone and Telecommunications Alliance**

Dear Ms. Dortch:

In its July 23 ex parte, the National Exchange Carrier Association ("NECA") and some other rural local exchange carrier ("RLEC") industry groups re-raise a number of procedural issues that, as Core Communications, Inc. ("Core") has noted in its previous papers, all have been rejected by the Commission, circuit court precedent, or both.

Core has amply demonstrated that it is a telecommunications carrier aggrieved by section 251(g) rate regulation and 254(g) rate averaging/integration within the ambit of section 160. NECA's suggestion otherwise is absurd. In 2004 (Docket No. 03-171), the Commission granted in part Core's request for forbearance from the *ISP Remand Order*. Moreover, in 2003 (Docket No. EB-01-MD-007), the Commission found that Verizon Maryland Inc. failed to satisfy its section 251(c)(2) interconnection obligations to Core. Both results would have been impossibilities if Core were not a telecommunications carrier.

More telling, NECA's ex parte concedes that grant of Core's petition would result in the precise relief requested by Core. Forbearance from section 251(g) rate regulation would harmonize intercarrier compensation rate structures under section 251(b)(5), and allow all carriers just and reasonable network cost recovery. Forbearance from section 254(g) would allow telecommunications carriers, such as Core and others, to recover from their end users intercarrier compensation charges assessed by other carriers, including RLECs.

The Commission has recognized for years that disparate intercarrier compensation regulations result in regulatory arbitrage. As Core has repeatedly noted, this Commission finding alone fully supports a Commission conclusion that Core's petition satisfies all of section 160's requirements.

Finally, for the avoidance of doubt, although the Commission may grant a forbearance petition in whole or in part, Core notes that its petition fully satisfies the standards set forth in section 160, and Core stands by the full complement of relief requested in its petition.

Sincerely,

**WOMBLE CARLYLE SANDRIDGE & RICE**  
*A Professional Limited Liability Company*

/s/

Michael B. Hazzard  
*Counsel for Core Communications, Inc.*

cc: Chairman Kevin Martin (via electronic mail)  
Commissioner Deborah Taylor Tate (via electronic mail)  
Commissioner Michael Copps (via electronic mail)  
Commissioner Robert McDowell (via electronic mail)  
Commissioner Jonathan Adelstein (via electronic mail)  
Sam Feder (via electronic mail)  
Ian Dillner (via electronic mail)  
Scott Deutchman (via electronic mail)  
Scott Bergmann (via electronic mail)  
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