



EX PARTE PRESENTATION

July 27, 2007

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWA325
Washington, DC 20554

Re: Notice of Inquiry Concerning a Review of the Equal Access and
Nondiscrimination Obligations Applicable to Local Exchange Carriers, CC
Docket No. 02-39

Dear Ms. Dortch:

Recently, the National Association of State Utility Consumer Advocates (NASUCA) incorrectly asserted that all comments¹ opposing continuation of the long outmoded equal access and nondiscrimination rules came from “mammoth” companies seeking weaker regulation.² This statement is flatly wrong. The comments filed by the United States Telecom Association (USTelecom) clearly spelled out how these rules unnecessarily raise costs and harm customers of all incumbent local carriers, from the largest to the smallest. USTelecom stated, “Even the smallest companies are affected by these requirements.”³

¹ Comments were filed on May 29, 2007 in response to *Notice of Inquiry Concerning a Review of the Equal Access and Nondiscrimination Obligations Applicable to Local Exchange Carriers*, CC Docket No. 02-39 (rel. March 7, 2007).

² NASUCA Reply Comments at 2 (June 26, 2007).

³ See USTelecom Comments at 11.

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USTelecom members provide service across the country, and range from the very largest telecom companies, such as AT&T and Verizon, to companies with only a few hundred customers. On behalf of *all* of these members—both small and large—USTelecom’s comments asked the Commission to eliminate the equal access regime. Our comments noted that, “These inefficiencies raise costs and burden the customers of all traditional LECs from the largest to the smallest.”⁴ As one example of how smaller companies comply with these regulations, USTelecom described how Blackfoot Communications, a company in Missoula, Montana with under 20,000 access lines, prints and posts a new list of long distance providers regularly for its customer service representatives to read in order to ensure that they name long distance providers in a random order.⁵

Just like their larger counterparts, small carriers are wasting time, money, and resources complying with regulatory requirements from another era. The purpose of the scripting requirement, which, like that of other equal access and nondiscrimination requirements, was to inform consumers that they had choices in long distance providers and to end the favored position of the legacy AT&T in the long distance market, was fulfilled long ago. After decades of marketing, American consumers know they may choose their long distance providers, and long distance has become a part of the any-distance calling services offered by multiple carriers over multiple platforms. Given this competitive market, the Commission should eliminate the equal access regime as quickly as possible.

In accordance with FCC Rule 1.1206(b)(1),⁶ I am filing this *Ex Parte* Presentation with the Commission electronically for inclusion in the public record. Please feel free to call me at (202) 326-7223 with any questions.

Sincerely,



Indra Sehdev Chalk
Counsel

cc: Thomas Navin
Marcus Maher
Christi Shewman

⁴ *Id.* at 4.

⁵ *Id.* at 11.

⁶ 47 C.F.R. § 1.1206(b)(1).