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

Re: ***Ex Parte Communication***
Windstream's Petition for Conversion to Price Cap Regulation
and for Limited Waiver Relief, WC Docket No. 07-171

Dear Ms. Dortch:

On January 23, I met with the Telecommunications Access Policy Division and Pricing Policy Division staff named below to discuss Windstream's petition seeking to convert its rate-of-return study areas to price-cap regulation. During the meeting we discussed the legal basis for granting the petition, consistent with the record and arguments already developed in this docket. We also discussed the precedential value of the Commission's ruling in the *ACS Forbearance Order*, which was released subsequent to the filing of Windstream's petition.¹ Specifically, the Commission concluded in the order that, as one of the conditions of relief, the ICLS received by ACS and all other ETCs in the Anchorage area "*will be distributed on a per-line basis at the current competitive ETC per-line level.*"² Similarly, Windstream requests that its ICLS funding be calculated on a per-line basis at a 2007 IAS funding level.

¹ See Petition of ACS of Anchorage, Inc. Pursuant to Section 10 of the Communications Act of 1934, as Amended (47 U.S.C. § 160(c)), for Forbearance from Certain Dominant Carrier Regulation of Its Interstate Access Services, and for Forbearance from Title II Regulation of Its Broadband Services, in the Anchorage, Alaska, Incumbent Local Exchange Carrier Study Area, WC Docket No. 06-109, Memorandum Opinion and Order, 22 FCC Rcd 16304, (2007) (ACS).

² See *id.* at 16336-16338.

Please feel free to contact me if you require additional information.

Sincerely,

/s/

Eric N. Einhorn

cc (by e-mail): Jennifer McKee
Al Lewis
Nick Alexander
Ted Burmeister
Beth Valinoti
Doug Slotten