Eastern Rural Telecom Association
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Madison, WI 53719
(608) 829-3530

April 17, 2008

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

Ex Parte Notice

Re: Developing a Unified Intercarrier Compensation Regime,
CC Docket No. 01-92

Feature Group IP Petition for Forbearance Pursuant to
47 U.S.C. §160(c) from Enforcement of 47 U.S.C. §251(g),
Rule 51.70(a)(1), and Rule 69.5(b)
WC Docket No. 07-256

Petition of the Embarq Local Operating Companies for
Limited Forbearance Under 47 U.S.C. §160(c) from
Enforcement of Rule 69.4(a), 47 U.S.C. §251(b) and
Commission Orders on the ESP Exemption
WC Docket No. 08-8

Dear Ms. Dortch:

On April 16, 2008, R. Craig Smith of MGW Telephone Co. Williamsville, VA; James Bond of Public Service Telephone Co. Reynolds, GA; Holly Hudspeth of Yadkin Valley Telephone Membership Corporation of Yadkinville, NC; C. E. Ritenour of Wilkes Telecommunications; and Ray Riordan of Northeast Telephone LLC of Pulaski, WI and Eastern Rural Telecom Association met with Victoria Goldberg, Deena Shetter, Lynne Engledow, Jay Attinson, Al Lewis, Randy Clarke, Chris Barnekov, and Bill Sharkey of the FCC Wireline Competition Bureau on the issue of unbillable and phantom traffic sent to over their networks by other telecommunications providers.

We supported requiring providers that send traffic over and/or is terminated on each of our small telephone company network to give sufficient, readable information in a usable format that will allow us to bill the traffic to the originating provider (unbillable traffic).

We also expressed our concern that a significant amount of traffic that is terminated on our networks which has no information about those calls on any billing records that we receive (phantom traffic). We've learned of these calls by reviewing the number of minutes of use that we terminate and comparing that to the minutes on the billing records. Two of the companies secured the use of expensive equipment to read the signaling information about all terminating traffic. They were able to measure all terminating traffic and learned that a substantial percentage of the traffic terminating on our network was unbillable or phantom traffic that we could not bill. This traffic is preventing our small companies from billing thousands of dollars every month.

We expressed our concern that many providers that have not provided billable information claim their equipment is unable to provide or transmit such information. Such companies have a substantial financial incentive to not update their equipment because that would cause their costs to increase. They presently enjoy a free termination and don't want to give that up. We request the FCC require all originating providers to provide such information.

Some of the providers have claimed they do not have to pay for their traffic because their traffic is Voice over Internet Protocol ("VoIP") traffic which, they claim, qualifies as Enhanced Service Providers (ESP) traffic. We request the FCC and its Wireline Competition Bureau to clarify that VoIP traffic is not exempt ESP traffic and they must pay for us to terminate it.

We are filing this letter electronically in the above captioned dockets in accordance with FCC rules.

Respectfully submitted,

Ray J. Riordan

Ray J. Riordan
ERTA Executive Director