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August 20, 2008

**EX PARTE**

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

**Re: Petition of AT&T Inc. For Forbearance Under 47 U.S.C. § 160 From Enforcement Of Certain of the Commission's Cost Assignment Rules, WC Docket No. 07-21; Petition of AT&T Inc. For Forbearance Under 47 U.S.C. § 160 From Enforcement of Certain of the Commission's ARMIS Reporting Requirements, WC Docket No. 07-139; Petition of Verizon For Forbearance Under 47 U.S.C. § 160(c) From Enforcement of Certain of the Commission's Recordkeeping and Reporting Requirements, WC Docket No. 07-273; Petitions of Qwest Corporation, Embarq Operating Companies, and Frontier and Citizens ILECS For Forbearance Under 47 U.S.C. § 160 From Enforcement of Certain of the Commission's ARMIS Reporting Requirements, WC Docket No. 07-204**

Dear Ms. Dortch:

Yesterday, Maggie McCreedy, Dee May, and Ed Shakin of Verizon, Rob Binder of Citizens, Jennie Chandra of Windstream, and David Bartlett and John Benedict of Embarq met with Commissioner Tate and Greg Orlando, Legal Advisor to Commissioner Tate. The purpose of the meeting was to discuss extending to others in the industry forbearance relief from the Commission's cost assignment rules that was earlier granted to AT&T and forbearance from the ARMIS reporting process. The Commission should extend cost assignment forbearance relief and eliminate the ARMIS reports for all providers in a single order issued by the statutory deadline for action on AT&T's ARMIS petition. If the Commission retains any of the ARMIS data it should require the same reporting from all competitors and allow the data to be submitted on a confidential basis.

Participants explained that the Commission should extend relief from the cost assignment rules to others in the industry because the Commission's logic in granting relief to AT&T is the same for all federal price cap carriers. Under the Commission's price cap regime, there is no direct connection between carrier costs and pricing. In addition, any small distinctions between AT&T and other carriers can be addressed in the carrier-specific compliance plans that providers must file, and the Wireline Competition Bureau must approve, as a condition of forbearance.

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With respect to ARMIS, participants explained that ARMIS reporting unfairly disadvantages a small number of providers, no longer serves a legitimate federal purpose, and should be eliminated. As an example, one of the ARMIS reports forces only a few among many providers to publicly disclose, on an annual basis, competitive information regarding changes in network subscribers in each state. In today's competitive market that is rapidly moving beyond traditional voice network infrastructure, this limited information from only a few providers is meaningless to regulators and unfairly gives competitors unique insight into the successes and challenges of those few companies that must file ARMIS reports. If the Commission does not eliminate ARMIS reporting altogether it could solve these problems with a change to the ARMIS process itself or by moving any remaining reporting obligations to FCC Form 477, which applies to all competitors and provides for confidential submissions.

For these reasons, the Commission should act swiftly to extend cost assignment forbearance relief, and should eliminate the ARMIS reports or at a minimum require the same confidential reporting from all competitors.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne D. Burk". The signature is written in a cursive, flowing style.

cc: Greg Orlando