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October 17, 2008

***Via Electronic Delivery***

Ms. Marlene H. Dortch  
Federal Communications Commission  
The Portals, TW-A325  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation – CC Dkt. 01-92, *Developing a Unified Intercarrier Compensation Regime*; CC Dkt. 99-68, *Intercarrier Compensation for ISP-Bound Traffic*; CC Dkt. 96-45, *Federal-State Joint Board on Universal Service*; WC Dkt. 06-122, *Universal Service Contribution Methodology*; WC Dkt. 04-36, *IP-Enabled Services*

Dear Ms. Dortch:

On Thursday, October 16, 2008, Richard S. Whitt, Washington Telecom and Media Counsel, Google Inc., and Mark O'Connor and the undersigned, both of Lampert, O'Connor & Johnston, P.C., met with Commissioner Jonathan S. Adelstein and Scott Bergmann, Senior Legal Advisor to Commissioner Adelstein, to discuss the above-referenced proceedings.

During the meeting, we discussed the need for the FCC to ensure the continued growth and deployment of innovative IP applications and services and promote affordable, ubiquitous broadband for all Americans. We explained that any FCC action to reform the intercarrier compensation and universal service system should promote these goals and guard against unintended consequences that could undermine innovation and economic growth. Consistent with previous filings, we explained that the FCC has repeatedly and wisely chosen a path that allows enhanced applications and services to flourish, and that the FCC should not now reverse course by eliminating the treatment of information service providers as end users (the so-called "ESP Exemption"), or otherwise expanding regulation to presently unregulated information and IP services and applications.

We also noted the growing deployment of innovative and beneficial information services that are provided to consumers without a charge, including community voice mail, "follow-me," and other services. We discussed Google's GrandCentral platform, a web-driven set of "unified messaging" software applications that allows consumers to integrate and control their existing phone numbers and voice mailboxes through a separate telephone number provided by GrandCentral. We explained that the GrandCentral application does not provide users with dial tone or an underlying access arrangement, nor does it allow users to make outgoing PSTN calls.

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**Google Inc. Ex Parte**

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As a result, we urged that any move to a numbers-based contribution methodology for universal service should not include such telephone numbers as assessable for contribution. Otherwise, a numbers-based mechanism might have a negative impact on such services, and on innovative IP-enabled applications and information services generally.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record. Please contact me directly should you have any questions.

Respectfully submitted,



Donna N. Lampert  
*Counsel for Google Inc.*

cc: Commissioner Adelstein ([Jonathan.Adelstein@fcc.gov](mailto:Jonathan.Adelstein@fcc.gov))  
Scott Bergmann ([Scott.Bergmann@fcc.gov](mailto:Scott.Bergmann@fcc.gov))